

6. After being contacted by an agent with the Criminal Investigation Division of the Internal Revenue Service, McLaurin employed an accountant to file his delinquent returns.

7. On June 29, 1999, McLaurin was charged in an information in the United States Court for the Middle District of North Carolina, file number 1:99CR169-1, with five counts of willful failure to timely file federal income tax returns for the calendar years 1992, 1993, 1994, 1995 and 1996 in violation of 26 U.S.C. § 7203.

8. On October 7, 1999, McLaurin pled guilty to one count of misdemeanor failure to timely file a federal income tax return for the calendar year 1992. The United States Attorney for the Middle District of North Carolina agreed not to resist a motion to dismiss the remaining four counts of the information charging McLaurin with willful failure to timely file tax returns for the calendar years 1993, 1994, 1995 and 1996.

9. On April 10, 2000, United States Magistrate Judge P. Trevor Sharp entered a judgment of guilty on count one of the information, dismissed counts 2-5 and placed McLaurin on probation for one year subject to standard and special conditions of supervision.

10. The offense for which McLaurin was convicted is an offense showing professional unfitness. It did not, however, involve misappropriation of any client funds or the violation of any client confidences.

Based upon the foregoing Findings of Fact, the hearing committee enters the following:

CONCLUSIONS OF LAW

1. All parties are properly before the hearing committee and the hearing committee has jurisdiction over McLaurin and the subject matter.
2. McLaurin has been convicted of a criminal offense showing professional unfitness in violation of N.C. Gen. Stat. § 84-28(b)(1); and
3. By willfully failing to timely file federal individual income tax returns for the calendar years 1992 through 1996, McLaurin committed criminal acts that reflect adversely on his honesty, trustworthiness, or fitness as a lawyer in other respects, in violation of Rule 8.4(b) of the Revised Rules of Professional Conduct.

Based upon the foregoing Findings of Fact and Conclusions of Law and upon the evidence and arguments of the parties concerning the appropriate discipline, the Hearing Committee hereby makes additional:

FINDINGS OF FACT REGARDING DISCIPLINE

1. McLaurin's misconduct is aggravated by the following factors:
 - a. McLaurin's conduct involved multiple offenses; and

b. McLaurin has substantial experience in the practice of law.

2. McLaurin's misconduct is mitigated by the following factors:

- a. Absence of any prior disciplinary record;
- b. A timely good faith effort to make restitution or to rectify the consequences of his misconduct;
- c. Full and free disclosure to the Grievance Committee and the DHC and a cooperative attitude toward the proceedings;
- d. Good character or reputation;
- e. Physical or mental disability or impairment;
- f. Interim rehabilitation;
- g. Imposition of other penalties or sanctions; and
- h. Remorse

3. The mitigating factors outweigh the aggravating factors.

Based upon the foregoing aggravating and mitigating factors and the consent of the parties, the hearing committee hereby enters the following

ORDER OF DISCIPLINE

1. The license of the defendant, Ralph E. McLaurin, Jr., is hereby suspended for a period of two years.

2. McLaurin's two-year suspension is stayed for a period of three years on the following conditions:

a. McLaurin shall not violate any local, state or federal laws during the period of stayed suspension.

b. McLaurin shall not violate any provisions of the Revised Rules of Professional Conduct during the period of stayed suspension.

c. McLaurin shall comply with all standard and special conditions of his federal probation imposed in the United States District Court for the Middle District of North Carolina, case number 1:99CR169-1.

d. McLaurin shall report to the Office of the Secretary of the North Carolina State Bar any finding by a federal district court judge or magistrate judge of a violation of his probation, regardless of the punishment imposed by that judge.

e. Throughout the period of the stayed suspension, McLaurin shall timely pay the legally required estimated income taxes, if any, due and payable to the North Carolina Department of Revenue and the Internal Revenue Service on April 15, June 15, September 15 and January 15 of each tax year (or at such other intervals or times required

by law) so as to remain current with his obligations to pay state and federal income taxes, and if McLaurin is not legally required to pay estimated income taxes, he shall pay annual income taxes due and payable in each tax year during the period of the stayed suspension.

f. During the stayed suspension, McLaurin shall file all state and federal tax returns in a timely manner.

g. McLaurin shall provide to the Office of the Secretary of the North Carolina State Bar written verification that he has filed all required tax returns with the North Carolina Department of Revenue and the Internal Revenue Service during the stayed suspension. This written verification shall be sent on or before April 15th each year of the stayed suspension period. If an extension for filing income tax returns is sought, then written verification shall be provided to the Office of the Secretary of the North Carolina State Bar within one week of the filing date of that return.

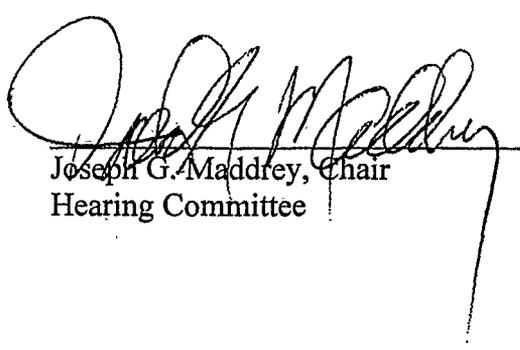
h. McLaurin shall pay all costs incurred in this proceeding and taxed against him within ninety (90) days of service of this order.

3. If during the stay of the two-year suspension, McLaurin fails to comply with any one or more conditions stated in paragraphs 2 (a) – (h) above, then the stay of the suspension of his law license may be lifted as provided in §.0114(x) of the North Carolina State Bar Discipline & Disability Rules.

4. If any stay of the suspension of the McLaurin's law license is lifted, as provided in the foregoing paragraph, the Disciplinary Hearing Commission may enter an order providing for such conditions as it deems necessary for obtaining a stay of the remaining period of suspension or for reinstatement of McLaurin's license at the end of the two-year suspension.

5. The Disciplinary Hearing Commission will retain jurisdiction of this matter pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, §.0114(x) of the North Carolina State Bar Discipline & Disability Rules throughout the period of the stayed suspension.

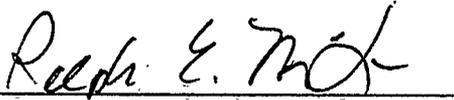
Signed by the undersigned Chair with the consent of the other members of the hearing committee this the 6 day of November, 2001.


Joseph G. Maddrey, Chair
Hearing Committee

The foregoing Consent Findings of Fact, Conclusions of Law and Order of Discipline in North Carolina State Bar v. Ralph E. McLaurin is CONSENTED TO:



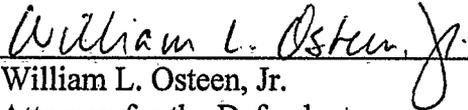
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