

NORTH CAROLINA
WAKE COUNTY



14034
BEFORE THE SECRETARY
OF THE
NORTH CAROLINA STATE BAR
01 BSR 3

IN RE REINSTATEMENT OF
JIMMIE R. BARNES

)
)
) ORDER STAYING SUSPENSION
)

THIS MATTER is before the Secretary of the North Carolina State Bar pursuant to a Petition for Reinstatement filed by Jimmie R. Barnes on November 15, 2001.

Based upon a review of the records of the North Carolina State Bar, the Secretary makes the following:

FINDINGS OF FACT

1. A hearing committee of the Disciplinary Hearing Commission of the North Carolina State Bar entered an order dated June 25, 2001 (hereafter "Discipline Order"), in which Barnes' license to practice law in North Carolina was suspended for a period of five years.
2. The effective date of the Order and the length of the minimum active suspension were dependent on the outcome of Mr. Barnes' related federal criminal proceedings.
3. Mr. Barnes was sentenced in the criminal proceeding on August 28, 2001 and received a probationary sentence with no active prison time.
4. Under the terms of the Discipline Order, therefore, the effective date of the suspension was September 27, 2001.
5. Barnes is eligible to apply for a stay of the remaining suspension 60 days after the effective date of the suspension.
6. The Discipline Order provided that Barnes must meet certain requirements to obtain a stay of the remaining period of suspension. The Discipline Order also provided that Barnes must meet other requirements for the stayed suspension to continue in effect for the balance of the suspension.

7. After conducting investigations of Barnes' requirements set out in the Discipline Order and Discipline Rule .0125, counsel for the North Carolina State Bar did not file a response objecting to the Petition for stay of the suspension.

BASED UPON the foregoing Findings of Fact, the Secretary makes the following

CONCLUSIONS OF LAW

1. The Petitioner, Jimmie R. Barnes, has satisfied the requirements set out in Discipline Rule .0125(b) and the conditions in the Discipline Order for a stay of his suspension.

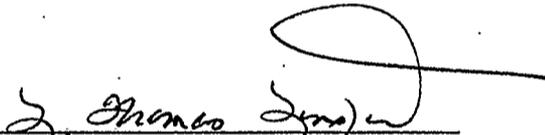
2. Barnes must continue to comply with all of the conditions set forth in paragraphs 4 and 5 of the Discipline Order for the stayed suspension to remain in effect.

THEREFORE, pursuant to Discipline Rule .0125, it is hereby ordered:

1. The remaining period of Barnes' suspension of his license to practice law is stayed as long as he continues to meet all of the conditions set forth in paragraphs 4 and 5 of the Discipline Order, which is attached hereto and hereby incorporated by reference.

2. Pursuant to Discipline Rule .0125(b)(2) the stay of Barnes' suspension shall be effective on November 26, 2001, which is 60 days from the effective date of the suspension.

This the 26th day of November, 2001.



L. Thomas Lunsford II, Secretary
The N.C. State Bar