

"BE IT FURTHER RESOLVED that the Respondent be and he is hereby, taxed with the costs incurred in this hearing, as certified by the office of The North Carolina State Bar.

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"BE IT FURTHER RESOLVED that the President is ordered and directed to enter a proper judgment in this cause."

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Respondent, W. Frank Brower, is disbarred from the practice of law in North Carolina.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent be, and he is hereby taxed with the costs incurred in this hearing.

BY ORDER OF THE COUNCIL, this the 1st day of November, 1975.

/s/ Frank H. Watson
Frank H. Watson, President
The North Carolina State Bar

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NORTH CAROLINA

WAKE COUNTY

I, B. E. James, Secretary of The North Carolina State Bar, do hereby certify that the foregoing Judgment of the Council was adopted by the Council of The North Carolina State Bar at its meeting on October 16, 1975.

Given over my hand and the Seal of The North Carolina State Bar, this the 3rd day of November, 1975.

(SEAL)

/s/ B. E. James
B. E. James, Secretary
The North Carolina State Bar

The President called on Mr. Busby, Chairman of the Special Committee to make recommendation on Neil D. Beach's Petition for Restoration of his license, and upon motion duly made and seconded, the following Resolution of Reinstatement was adopted by the Council:

NORTH CAROLINA

IN THE MATTER OF NEIL DOUGLAS
BEACH, PETITIONER

WAKE COUNTY

RESOLUTION OF REINSTATEMENT OF CERTIFICATE
OF LICENSE TO PRACTICE LAW

The following Resolution was adopted by the Council of The North Carolina State Bar at its meeting on October 16, 1975.

IN THE MATTER OF NEIL DOUGLAS BEACH, Attorney at Law, Lenoir, Caldwell County, North Carolina:

It appearing to the Council of The North Carolina State Bar that the certificate of license to practice law of one Neil Douglas Beach was suspended by order of the Superior Court of Burke County on September 22, 1972 and that Neil Douglas Beach was ordered to surrender his license to practice law until and unless the Council of The North Carolina State Bar, in its discretion, restored said license.

And it further appearing to the Council that the order of the Superior Court was entered simultaneously upon the criminal conviction of Neil Douglas Beach of "feloniously aiding and abetting an unknown party who unlawfully, wilfully, and feloniously discharged a firearm into an automobile occupied by Robert H. Deaton, his wife, and two children". For this offense, Neil Douglas Beach was given a sentence which was suspended and he was placed on probation for a period of three years.

It appears to the Council that the Petitioner, Neil Douglas Beach, has complied with all conditions of probation, his probation has terminated and that he has proved to the satisfaction of the Council that he is entitled, in the discretion of the Council, to the reinstatement of his license to practice law.

NOW, THEREFORE, BE IT RESOLVED that the certificate to practice law of Neil Douglas Beach heretofore suspended by the Council of The North Carolina State Bar be and the same is hereby returned to Neil Douglas Beach and he is reinstated as an attorney at law with the rights and privileges to practice law in North Carolina.

The Secretary is hereby directed to return the certificate to practice law to Neil Douglas Beach as provided by law.

The Secretary is further directed to forward a copy of this Resolution to the Supreme Court of North Carolina, the Court of Appeals of North Carolina and the Clerk of Superior Court of Burke County.

The Secretary is further directed to prepare for the cost of this Petition to be paid by Neil Douglas Beach.

NORTH CAROLINA

WAKE COUNTY

I, B. E. James, Secretary-Treasurer of The North Carolina State Bar, do hereby certify that the foregoing Resolution of Reinstatement of Certificate of License to Practice Law was adopted by the Council of The North Carolina State Bar at its meeting on October 16, 1975.

Given over my hand and the Seal of The North Carolina State Bar, this the 22nd day of October, 1975.

/s/ B. E. James, Secretary

B. E. James, Secretary
The North Carolina State Bar

REPORT OF THE ETHICS COMMITTEE BY W. P. SANDRIDGE, CHAIRMAN

Mr. Sandridge reported that the following inquiries were considered by the Ethics Committee and that the Committee recommended the adoption of the following Opinions and Decisions: The Council adopted the following Opinions and Decisions:

CPR 58
(October 16, 1975)

Inquiry: Is it ethical for a lawyer to write and publish a pamphlet on a legal topic of interest and offer the pamphlet for sale to the public either under the author's own name or under a penname?

Opinion: The writing of legal textbooks, treatises and other legal publications by a lawyer and dignified advertisements of such publications are expressly permitted by DR2-101(B)(5). It is obvious that the authorship and sale of such pamphlet to the general public may be abused. The author should be careful to arrange the distribution so as to avoid even the appearance of solicitation of professional work. The name of the author should be accompanied only by the statement that he is a member of the Bar of his city. See Opinion No. 845.