



WAKE COUNTY

NORTH CAROLINA

BEFORE THE
GRIEVANCE COMMITTEE OF THE
NORTH CAROLINA STATE BAR
00G0467, 01G0863, 01G0992, and 01G0993

IN RE JAMES W. LUNG
ATTORNEY

)
) CONSENT
) ORDER TRANSFERRING
) MEMBER TO DISABILITY
) INACTIVE STATUS
)

THIS MATTER is before the undersigned Chairperson of the Grievance Committee of the North Carolina State Bar pursuant to 27 N.C.A.C. 1B §.0118(g). Margaret Cloutier represents the North Carolina State Bar and James W. Lung appears pro se. Based upon facts presented and with the consent of the member and the counsel, the undersigned makes the following:

FINDINGS OF FACT

1. The North Carolina State Bar is a body duly organized under the laws of North Carolina and is the proper party to consent to this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina and the Rules and Regulations of the North Carolina State Bar promulgated thereunder.
2. James W. Lung was admitted to practice law in North Carolina on August 22, 1976 and is an Attorney at Law licensed to practice in North Carolina, subject to the rules, regulations and Revised Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.
3. James W. Lung actively engaged in the practice of law in the State of North Carolina and, prior to October 2001, maintained a law office in the City of Greensboro, Guilford County, North Carolina.
4. James W. Lung currently suffers from mental disorders that significantly impair his professional judgment, performance or competence as an attorney
5. Dr. Carey Cottle, Jr., M.D. has diagnosed James W. Lung with Attention Deficit Disorder and Anxiety Disorder. It is Dr. Cottle's opinion, based on these diagnoses, that the symptoms of these illnesses adversely affect Mr. Lung's ability to practice law.

6. James W. Lung consents to being transferred to disability inactive status.
7. There are four grievances pending against James W. Lung, to wit: 00G0461, 01G0863, 01G0992, and 01G0993.

BASED UPON the foregoing Findings of Fact, the undersigned makes the following:

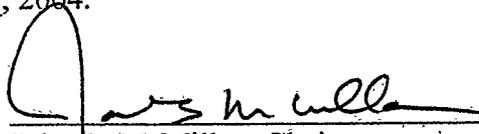
CONCLUSIONS OF LAW

1. Pursuant to 27 N.C.A.C. 1B §.0118(g), the proper parties have consented to the transfer of James W. Lung to disability inactive status.
2. James W. Lung is disabled within the meaning of 27 N.C.A.C. 1B .0103(18).
3. The pending grievances against James W. Lung should be stayed during the period of disability, pursuant to 27 N.C.A.C. 1B §.0118(d)(1).

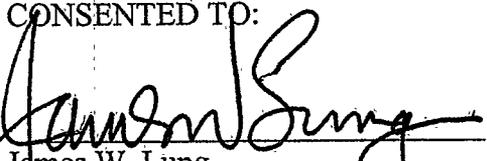
THEREFORE, it is hereby ORDERED:

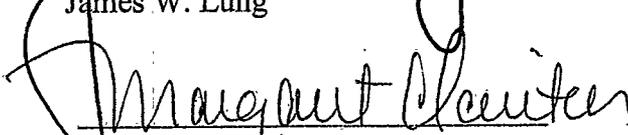
1. James W. Lung is transferred to disability inactive status.
2. James W. Lung shall refrain from practicing law in North Carolina until reinstated to active status pursuant to 27 N.C.A.C. 1B §.0125(c).
3. The pending grievances against James W. Lung are stayed during the period of disability, pursuant to 27 N.C.A.C. 1B §.0118(d)(1).

This the 14th day of July, 2004.


John B. McMillan, Chair
Grievance Committee
The North Carolina State Bar

CONSENTED TO:


James W. Lung


Margaret Cloutier
Deputy Counsel