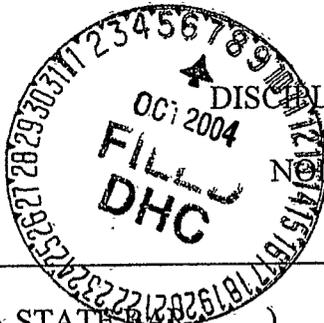


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NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
.03 DHC 15

THE NORTH CAROLINA STATE BAR,
Plaintiff,

v.

K. E. KRISPEN CULBERTSON, Attorney,
Defendant.

ORDER GRANTING MOTION TO
DISMISS AT CLOSE OF
PLAINTIFF'S EVIDENCE

This matter came on to be heard and was heard on September 12, 2004 by a hearing committee composed of Richard T. Gammon, Chair, Stephen E. Culbreth and Marguerite P. Watts. At the close of the Plaintiff's evidence, the Defendant made a motion to dismiss. The hearing committee unanimously concluded that, since every witness to the incident that occurred on June 10, 2002 was an interested witness, the hearing committee could not find by clear, cogent and convincing evidence that Defendant's conduct during that incident constituted an unprovoked assault on Oscar Lee Hooper, Jr. or that Defendant's version of the incident contained in the newspaper article in the *Greensboro News and Record* and in his March 5, 2003 response to the grievance committee was false, deceptive or misleading.

THEREFORE, it is hereby ORDERED that the Complaint in this matter is hereby DISMISSED.

Signed by the undersigned Chair with the consent of the other members of the hearing committee this the ~~12th~~ ^{10th} day of September, 2004.

Richard T. Gammon

Richard T. Gammon
Chair, Hearing Committee