

25545

NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
04 DHC 26

THE NORTH CAROLINA STATE BAR,)
Plaintiff,)
v.)
THEODORE G. HALE,)
Defendant.)

ORDER OF DISBARMENT

THIS MATTER was heard by the Chairman of the Disciplinary Hearing Commission of the North Carolina State Bar, Richard T. Gammon, pursuant to 27 NCAC 1B § .0117 (d) of the State Bar Discipline and Disability Rules upon the affidavit of tender of surrender of license executed by Theodore G. Hale, on October 13, 2004, and filed in the offices of the State Bar on October 14, 2004.

Based on the affidavit, the Chairman finds that Theodore G. Hale misappropriated money from his former law partner; charged and collected money from the parents of a criminal defendant whom he was appointed to represent without telling them that he was obligated to represent their son at State expense due to the court appointment; represented a woman in a divorce/equitable distribution case and collected and converted to his own use the proceeds of an annuity contract in the amount of \$15,287.09 most of which belonged to her.

This conduct constitutes grounds for discipline, under N.C. Gen. Stat. § 84-28 (b)(2), in that Hale violated Rules 1.5 (a), 4.1, and 8.4 (c) of the Revised Rules of Professional Conduct.

WHEREFORE, the Chairman enters the following Order:

1. The tender of surrender of the license of Theodore G. Hale is hereby accepted.
2. Theodore G. Hale hereby is DISBARRED from the practice of law in North Carolina.
3. Theodore G. Hale shall comply with the provisions of 27 NCAC 1B § .0124 of the State Bar Discipline and Disability Rules and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar

along with the affidavit required by 27 NCAC 1B § .0124 of the State Bar Discipline and Disability Rules.

4. The costs of this action are taxed against Theodore G. Hale.

Done and ordered this the 14th day of October, 2004.



Richard Gammon
The North Carolina State Bar