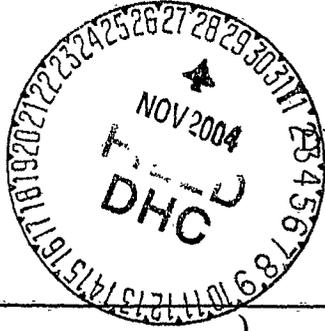


NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
04 DHC 50

In re: **Frank W. Ballance,**
Attorney at Law

**Order
of
Interim Suspension**

THIS CAUSE was heard before the undersigned Chair of the Disciplinary Hearing Commission pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0115(d) of the Discipline & Disability Rules of the North Carolina State Bar on petition for an order of interim suspension of the license to practice law in North Carolina of Frank W. Ballance based upon his conviction of a crime showing professional unfitness through a plea of guilty in the United States District Court for the Eastern District of North Carolina. Mr. Ballance was represented by his counsel, Joseph B. Cheshire, V. Mr. Ballance, through counsel, consents to the entry of this Order of Interim Suspension. Based upon the petition and the consent of the parties, the undersigned hereby makes the following:

FINDINGS OF FACT

1. Frank W. Ballance was licensed to practice law in North Carolina on 12 August 1965 and is and was at all times referred to herein, an attorney at law, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of North Carolina.
2. The last address of record for Frank W. Ballance with the North Carolina State Bar was: 1103 MLK Boulevard, Warrenton, North Carolina 27589.
3. On 9 November 2004, Frank W. Ballance was convicted of conspiracy to commit mail fraud and money laundering in violation of 18 U.S.C. §371 upon a plea of guilty to count 1 of an indictment in the United States District Court for the Eastern District of North Carolina, file number 5:04-CR-282-1B01.
4. Sentencing of Frank W. Ballance has not yet been scheduled.
5. Frank W. Ballance freely and voluntarily, with the advice of counsel, consents to the entry of this Order of Interim Suspension.

Based upon the foregoing FINDINGS OF FACT, the undersigned makes the following:

CONCLUSIONS OF LAW

1. The offense for which Frank W. Ballance was convicted is a serious crime showing professional unfitness to practice as defined by Rule .0103(17) of the State Bar Discipline & Disbarment Rules and N.C. Gen. Stat. § 84-28(b).
2. Rule .0115(d) of Subchapter B of the Discipline & Disability Rules of the State Bar gives the Chair of the Disciplinary Hearing Commission the authority to enter an order suspending an attorney's license upon receipt of a certificate of conviction of a serious crime showing professional unfitness to practice law.

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned Chair of the Disciplinary Hearing Commission enters the following:

ORDER

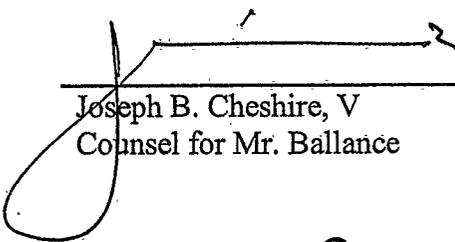
1. The license to practice law in North Carolina of **Frank W. Ballance** is hereby **SUSPENDED** until the conclusion of all disciplinary matters pending before the North Carolina State Bar relating to his conviction in the United States District Court for the Eastern District of North Carolina of a serious crime showing professional unfitness to practice law in file number 5:04-CR-282-1B01.
2. **Frank W. Ballance** will comply with all requirements of Rule .0124(c) Subchapter B of the Rules of the State Bar for winding down his law practice within the deadlines established by that rule.

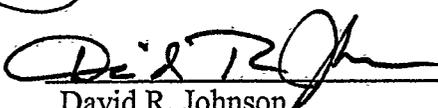
This the 19th day of November, 2004.


Richard T. Gammon
Chair, Disciplinary Hearing
Commission

The foregoing Order of Interim Suspension is Consented to:


Frank W. Ballance


Joseph B. Cheshire, V
Counsel for Mr. Ballance


David R. Johnson
Deputy Counsel, The North Carolina State Bar