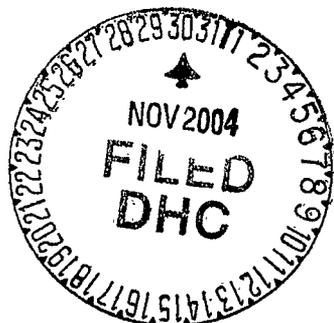


23245

NORTH CAROLINA

WAKE COUNTY



BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
04G0985

THE NORTH CAROLINA STATE BAR,)
Petitioner)
)
v.)
)
MARK D. LATTIMORE, ATTORNEY,)
Respondent)

Order Of Reciprocal Discipline

Pursuant to the authority vested in me as Chairperson of the Grievance Committee of the North Carolina State Bar by 27 N.C. Admin. Code Chapter 1, Subchapter B, Rules .0105(a)(12) and .0116(b)(4) of the N.C. State Bar Discipline & Disability Rules of the North Carolina State Bar; and based upon the record in this matter, the undersigned finds as follows:

1. By order dated 11 June 2004 the South Carolina Supreme Court issued an order of interim suspension based on Respondent's plea of guilty to conspiracy to commit mail fraud in violation of 18 U.S.C. § 1349.
2. On 19 August 2004, a Notice of Reciprocal Discipline Proceeding was mailed to Respondent by certified mail, return receipt requested.
3. On 23 August 2004 Respondent was served with the Notice of Reciprocal Discipline Proceeding, as evidenced by his signature on the return receipt.
4. Respondent failed to show cause that imposition of the identical discipline would be unwarranted within 30 days of service of the Notice of Reciprocal Discipline.

BASED UPON THE FOREGOING FINDINGS, the Chairperson of the Grievance Committee makes the following CONCLUSIONS OF LAW:

1. The North Carolina State Bar has jurisdiction over the subject matter of this proceeding and over the person of Mark D. Lattimore.
2. The procedure for imposition of reciprocal discipline pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0116 of the N.C. State Bar Discipline & Disability Rules has been complied with.
3. The order of the South Carolina Supreme Court is based on the conviction of Mark D. Lattimore for conspiracy to commit mail fraud in violation of

18 U.S.C. § 1349, which constitutes conduct in violation of Rule 8.4(b) of the North Carolina Rules of Professional Conduct and N.C. Gen. Stat. § 84-28(b)(1) and which justifies the imposition of reciprocal discipline in this state.

4. The interim suspension imposed by the South Carolina Supreme Court should be imposed on Mark D. Lattimore's right to practice law in the State of North Carolina.

THEREFORE IT IS HEREBY ORDERED THAT:

1. The license of Mark D. Lattimore to practice law in the State of North Carolina is hereby suspended pending the final disposition of disciplinary proceedings based on his criminal conviction in violation of 18 U.S.C. § 1349, effective immediately.
2. Mark D. Lattimore shall forthwith surrender his license certificate and membership card to the Secretary of the North Carolina State Bar.
3. Mark D. Lattimore is hereby taxed with the costs of this proceeding as assessed by the Secretary.
4. Mark D. Lattimore shall not resume the practice of law in the State of North Carolina until he has submitted proof to the Secretary of the North Carolina State Bar that he has complied with all provisions of the order of discipline entered by the State of South Carolina and any subsequent orders in the State of North Carolina.
5. Respondent shall comply with the wind down provisions of 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0124 of the N.C. State Bar Discipline & Disbarment Rules.

This the 19 day of November 2004.



Henry Babbs
Chairperson, Grievance Committee