

27363

NORTH CAROLINA

WAKE COUNTY



BEFORE THE DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR 05 DHC 30

The North Carolina State Bar,
Plaintiff

v.

Tiffany Bryan, Attorney,
Defendant

Order of Disbarment

THIS MATTER was considered by the undersigned Chair of the Disciplinary Hearing Commission pursuant to the provisions of the N.C. State Bar Discipline & Disability Rules, 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0117(d) upon submission of the tender of surrender of license and consent to disbarment by the Defendant, Tiffany Bryan. Based upon the record, the pleadings in this matter, and the Defendant's affidavit of surrender, the Chair finds the following:

Findings of Fact

1. The Defendant, Tiffany Bryan, filed an affidavit of tender of surrender of her license with the Chair of the Disciplinary Hearing Commission after service of a disciplinary complaint in accordance with 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0117(d).

2. The Defendant's tender of surrender of license and consent to disbarment was freely and voluntarily rendered. It was not the result of coercion or duress. Defendant acknowledged that she was fully aware of the implication of submitting her surrender and consent to disbarment.

0040

3. The Defendant acknowledged that the material facts of the disciplinary complaint were true and that her actions constituted violations of the Rules of Professional Conduct. Those material facts are: Defendant falsely reported to her law firm billable time on behalf of a client for travel time spent attending in person approximately ten mediations scheduled between November 2003 and June 2004 when she actually participated in those mediations by telephone. Defendant knew the client would be billed for her time by the firm. The client was billed approximately \$8,400 based on her false report. The firm refunded the amounts collected from the clients on these bills and rescinded the remaining unpaid invoices. Defendant also falsely reported approximately \$1,300 in expenses for mileage and meals that were not incurred and received reimbursement for those expenses knowing that they had not been incurred. Defendant was aware that her client would be billed by the firm for payment of these false expenses that were not incurred. After her actions were discovered, Defendant eventually reimbursed the firm for the \$1,300 in expense funds that she received on August 15, 2005.

4. Defendant was served properly with the Summons and Complaint in this matter and received notice of the hearing before the Disciplinary Hearing Commission based upon the Complaint scheduled at 10:00 am on Friday, September 23, 2005 in the Courtroom on the third floor of the offices of the North Carolina State Bar at 208 Fayetteville Street Mall, Raleigh, North Carolina. Defendant did not file an Answer or other responsive pleading. Defendant has waived any claim, argument, or assertion that she has not received proper or timely notice of the hearing before the Disciplinary Hearing Commission or any other defect in notice. Defendant has also waived any and all right or privilege to appear before the Disciplinary Hearing Commission at that scheduled hearing.

5. Defendant has had the advice and counsel of an attorney in filing her consent to disbarment and in waiving any rights set forth in her Affidavit.

Based upon the foregoing FINDINGS OF FACT and the consent of the Defendant, the Chair makes the following:

Conclusions Of Law

1. The Disciplinary Hearing Commission has personal jurisdiction over Tiffany Bryan and jurisdiction over the subject matter.
2. The tender of surrender of the license and consent to disbarment filed by Tiffany Bryan satisfies the requirements of 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0117(d). Accordingly, the Chair accepts the surrender of the Tiffany Bryan's license and consent to disbarment.
3. The Defendant's conduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that the conduct violated the Revised Rules of Professional Conduct in effect at the time of the conduct as set forth in the Complaint and disbarment is a proper and necessary discipline for such conduct.
4. Defendant has freely, voluntarily, and with advice of counsel, consented to an order of disbarment.

Therefore, it is hereby

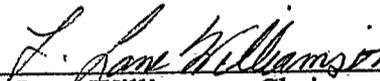
Ordered

1. Tiffany Bryan is hereby **DISBARRED** from the practice of law in the State of North Carolina, effective upon entry of this Order. In accordance with 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0117(e), Tiffany Bryan may not handle any legal matter other than any necessary actions to withdraw from any matters still pending on the effective date of this Order.
2. Tiffany Bryan will immediately surrender her license and membership card to the Secretary of the North Carolina State Bar.

3. Tiffany Bryan shall otherwise comply with 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0124 with respect to the obligations of disbarred attorneys.

4. Tiffany Bryan will pay all costs of this proceeding as assessed by the Secretary of the North Carolina State Bar within 90 days of receipt of notice of those costs.

This the 9th day of September, 2005



F. Lane Williamson, Chair
Disciplinary Hearing Committee