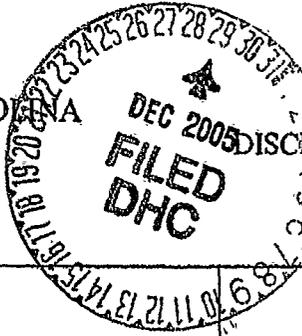


6378

STATE OF NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
05 DHC 56

In re: **Rick F. Shumate,**
Attorney at Law

Consent Order of
Interim Suspension

THIS CAUSE came 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 Rick F. Shumate based upon his plea of guilty to a crime showing professional unfitness in the United States District Court for the Middle District of North Carolina. Mr. Shumate was represented by counsel, A. Wayland Cooke and William L. Osteen, Jr. Mr. Shumate, through counsel, consents to the entry of this Order of Interim Suspension. Based upon the petition, the certified copy of Mr. Shumate's guilty plea, and the consent of the parties, the undersigned hereby makes the following

FINDINGS OF FACT

1. Rick F. Shumate was licensed to practice law in North Carolina on September 1, 1974 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 current address of record for Rick F. Shumate with the North Carolina State Bar is 3020 Robin Hood Drive, Greensboro, NC 27408.
3. On October 13, 2005, Rick F. Shumate pled guilty to the felony offense of making a false statement to a federal agent in violation of 18 U.S.C. § 1001(a)(2), count 19 of an indictment in the United States District Court for the Middle District of North Carolina, file number 1:05-CR-230-3. A certified copy of the docket entry with the Clerk of Court showing the entry of the guilty plea was attached to the State Bar's petition as Exhibit 1.
4. Sentencing of Rick F. Shumate is scheduled for March 27, 2006.
5. Rick F. Shumate 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 Rick F. Shumate pled guilty 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 authorizes the Chair of the Disciplinary Hearing Commission to enter an order suspending an attorney's license upon receipt of a certified copy of a plea of guilty to 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

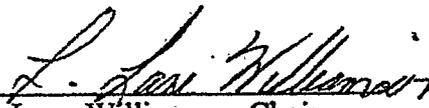
ORDER

1. The license to practice law in North Carolina of Rick F. Shumate is hereby **SUSPENDED** until the conclusion of all disciplinary matters pending before the North Carolina State Bar relating to his plea of guilty in the United States District Court for the Middle District of North Carolina of a serious crime showing professional unfitness to practice law in file number 1:05-CR-230-3.

2. This suspension shall go into effect on January 1, 2006.

3. Rick F. Shumate will comply with all requirements of 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0124 of the North Carolina State Bar Discipline & Disability Rules for winding down his law practice no later than January 1, 2006.

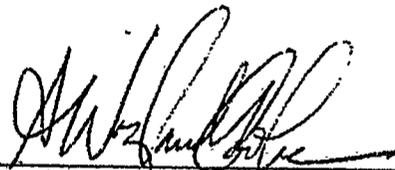
This the 27th day of December, 2005.


F. Lane Williamson, Chair
Disciplinary Hearing Commission

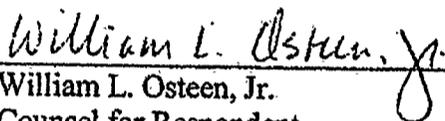
CONSENTED TO BY:



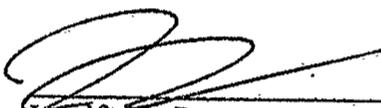
Rick F. Shumate
Respondent



A. Wayland Cnoke
Counsel for Respondent



William L. Osteen, Jr.
Counsel for Respondent



Jennifer A. Porter
Counsel for Petitioner
The North Carolina State Bar