

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
06G0185

IN THE MATTER OF )

Cindy C. Huntsberry, )  
Attorney At Law )

REPRIMAND

On July 20, 2006 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by K. A.

Pursuant to Section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Committee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Committee found probable cause. Probable cause is defined in the rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required, and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, a reprimand, or a censure to the respondent attorney.

A reprimand is a written form of discipline more serious than an admonition issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused harm or potential harm to a client, the administration of justice, the profession, or a member of the public, but the misconduct does not require a censure.

The Grievance Committee was of the opinion that a censure is not required in this case and issues this reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand.

You represented K. A. in a disability hearing before the Social Security Administration. K. A. received an unfavorable decision on November 19, 2004. You agreed to appeal the decision.

K. A. telephoned your office on numerous occasions. On one of those occasions, you told K. A. that her appeal had been filed. However, K. A. telephoned the Office of Hearings and Appeals and was told that no appeal had been filed on her behalf.

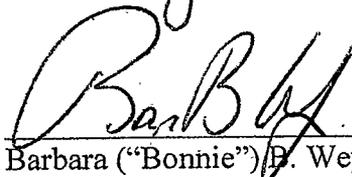
You indicate that you thought K. A.'s appeal had been filed when you spoke with her. However, you later learned that no appeal had been filed, and you did not intentionally mislead K. A. when you told her that you had filed the appeal.

The Grievance Committee found that your failure to file K. A.'s appeal violated Rule 1.3 of the Revised Rules of Professional Conduct. The Grievance Committee also found that you violated Rule 1.4(a)(3), as you did not keep K. A. reasonably informed about the status of her appeal.

You are hereby reprimanded by the North Carolina State Bar for your professional misconduct. The Grievance Committee trusts that you will heed this reprimand, that it will be remembered by you, that it will be beneficial to you, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession.

In accordance with the policy adopted October 15, 1981 by the Council of the North Carolina State Bar regarding the taxing of the administrative and investigative costs to any attorney issued a reprimand by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this the 27 day of Apr, 2006



Barbara ("Bonnie") B. Weyher, Chair  
Grievance Committee

BBW/lr