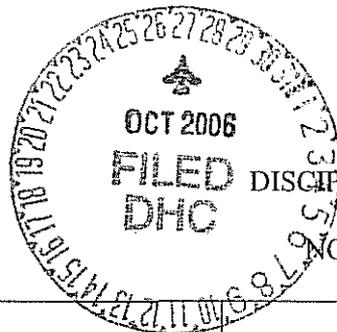


NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
06 DHC 25

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

BRENT E. WOOD, Attorney,

Defendant

FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
ORDER OF DISCIPLINE

This matter was heard on October 27, 2006 before a hearing committee of the Disciplinary Hearing Commission composed of the Chair, Stephen E. Culbreth, and members John Breckenridge Regan and Johnny A. Freeman. Jennifer A. Porter represented the Plaintiff, the North Carolina State Bar. Neither Defendant, Brent E. Wood, nor counsel for Defendant appeared. Based upon the certified copy of a jury verdict of guilty against Defendant in the United States District Court for the Eastern District of North Carolina entered May 11, 2006 in case number 5:05-CR-44-2-BO and the underlying indictment, considered pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0115(c), and based upon the pleadings and the admissions considered pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0114(f), the Hearing Committee hereby finds by clear, cogent, and convincing evidence the following

FINDINGS OF FACT

1. The Plaintiff, the North Carolina State Bar, is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar promulgated thereunder.

2. The Defendant, Brent E. Wood, (hereafter, Defendant), was admitted to the North Carolina State Bar in 1989, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

3. During all of the periods relevant hereto, Defendant was engaged in the practice of law in Cary, North Carolina.

4. Defendant was served with the State Bar's Complaint, Amended Complaint, and Summons in this case through counsel, who accepted service on July 19,

2006. Pursuant to Rule 4 of the North Carolina Rules of Civil Procedure and § .0114(e) of the North Carolina State Bar Discipline & Disability Rules, Defendant's answer was due no later than August 8, 2006.

5. Defendant did not file an answer or other responsive pleading and his default was entered by the Secretary of the North Carolina State Bar on September 20, 2006.

6. Defendant was properly served with process, a hearing in this matter was set, and the matter came before the hearing committee with due notice to all parties.

7. On or about February 17, 2005, Defendant was charged in the U.S. District Court for the Eastern District of North Carolina with one count of conspiracy to commit mail fraud and wire fraud, six counts of mail fraud, one count of wire fraud, and one count of conspiracy to commit money laundering.

8. On or about March 17, 2005, a superseding indictment was issued against Defendant, charging him with one count of conspiracy to commit mail fraud and wire fraud, six counts of mail fraud, one count of wire fraud, and one count of conspiracy to commit money laundering.

9. After trial by jury, on May 11, 2006 Wood was convicted of one count of conspiracy to commit mail fraud and wire fraud, violations of 18 U.S.C. §§ 1341 and 1343, respectfully, in violation of 18 U.S.C. § 371; six counts of mail fraud in violation of 18 U.S.C. § 1341 and 18 U.S.C. § 2; and one count of conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h).

10. A certified true copy of the jury verdict sheet finding Defendant guilty of the above listed offenses was entered into evidence during the hearing of this matter.

Based upon the foregoing findings of fact, the Hearing Committee enters the following:

CONCLUSIONS OF LAW

1. All the parties are properly before the hearing committee and the committee has jurisdiction over the Defendant, Brent E. Wood, and the subject matter.

2. The crimes of which Defendant was convicted are criminal offenses showing professional unfitness as defined in 27 N.C. Admin. Code 1B § .0103(17).

3. The certified copy of the jury verdict sheet, along with the certified copy of the underlying indictment, both entered into evidence in this disciplinary hearing, are conclusive evidence of Defendant's guilt of the crimes for which he was convicted for purposes of imposing discipline pursuant 27 N.C. Admin. Code 1B §§ .0115(b) and (c).

4. Defendant's conduct constitutes grounds for discipline as follows:
 - a. Pursuant to N.C. Gen. Stat. § 84-28(b)(1), for his conviction of criminal offenses showing professional unfitness; and
 - b. Pursuant to N.C. Gen. Stat. § 84-28(b)(2), for engaging in conduct in violation of the Revised Rules of Professional Conduct in effect at the time of his actions as follows: by engaging in the criminal conduct for which he was convicted, Defendant committed criminal acts that reflect adversely upon his honesty, trustworthiness or fitness as a lawyer in violation of Revised Rule 8.4(b) and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Revised Rule 8.4(c).

Based upon the foregoing Findings of Fact and Conclusions of Law and upon the evidence and arguments presented at the hearing concerning appropriate discipline, the hearing committee hereby finds by clear, cogent, and convincing evidence the following additional

FINDINGS OF FACT REGARDING DISCIPLINE

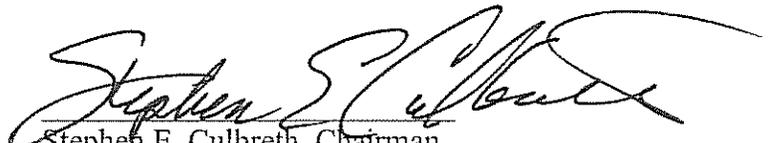
1. Defendant's misconduct is aggravated by the following factors:
 - a. Dishonest or selfish motive; and
 - b. Substantial experience in the practice of law.
2. There are no mitigating factors.
3. By Consent Order of Discipline in 05 DHC 40, filed on December 2, 2005, Defendant's law license was suspended for two years for willful failure to file and pay state income taxes and failure to respond to inquiry of the State Bar. The suspension was stayed upon compliance with conditions listed in the Consent Order. The Consent Order in 05 DHC 40 was entered subsequent to the misconduct at issue in this matter.
4. Defendant's criminal convictions have harmed the standing of the legal profession by undermining the public's trust and confidence in lawyers and the legal system.
5. An order of discipline less than disbarment would not sufficiently protect the public because Defendant's federal convictions were based on fraudulent conduct and material misrepresentations and were felonious crimes involving moral turpitude and violations of the public trust. Entry of an order imposing lesser discipline would fail to acknowledge the seriousness of the offenses that Defendant committed and would send the wrong message to attorneys and the public regarding the conduct expected of members of the Bar in North Carolina.

Based upon the foregoing Findings of Fact, Conclusions of Law and Findings Regarding Discipline, the Hearing Committee enters the following

ORDER OF DISCIPLINE

1. Brent E. Wood is hereby DISBARRED from the practice of law in the State of North Carolina.
2. Defendant shall surrender his law license and bar membership card within 30 days after service of this order upon him.
3. Defendant shall pay the costs of this proceeding as assessed by the Secretary of the State Bar within 30 days of service of the statement of costs upon him.
4. Defendant shall comply with all provisions of 27 N.C.A.C. 1B §.0124 of the North Carolina State Bar Discipline and Disability Rules.

Signed by the Chair of the Hearing Committee with the full knowledge and consent of the other Hearing Committee members, this the 27 day of October, 2006.


Stephen E. Culbreth, Chairman
Disciplinary Hearing Committee