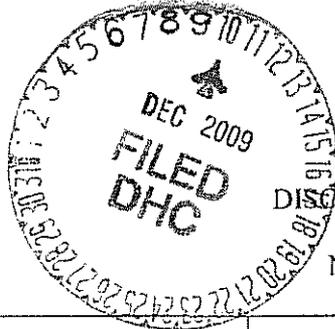


NORTH CAROLINA
WAKE COUNTY



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

ORDER
REINSTATING
ORDER OF DISCIPLINE

THIS MATTER came before the Chair of the Disciplinary Hearing Commission pursuant to Plaintiff's motion to reinstate an order of discipline disbarring Defendant based upon conviction of a criminal offense showing professional unfitness in accordance with N.C. Gen. Stat. § 84-28(d). Plaintiff was represented by Jennifer A. Porter. Defendant appeared *pro se*. Based upon Plaintiff's motion, Defendant's response, the certified judgment and mandate from the United States Court of Appeals and other documents attached thereto, and the documents in the Disciplinary Hearing Commission's file in this matter, the Chair makes the following findings of fact, conclusions of law, and enters the following order:

FINDINGS OF FACT

1. On or about February 17, 2005, Defendant was charged in the U.S. District Court for the Eastern District of North Carolina, case number 5:05-CR-44-2-BO, 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.

2. 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.

3. After trial by jury, on May 11, 2006 Defendant was convicted of one count of conspiracy to commit mail fraud and wire fraud, violations of 18 U.S.C. §§ 1341 and 1343, respectively, 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).

4. After a hearing before the Disciplinary Hearing Commission in this case, during which a certified true copy of the jury verdict sheet finding Defendant guilty of the above listed offenses was entered into evidence, the Disciplinary Hearing Commission entered an Order of Discipline on October 27, 2006 disbaring Defendant based upon his conviction of criminal offenses showing professional unfitness.

5. The effective date of Defendant's disbarment was November 29, 2006.

6. On July 18, 2007, the District Court entered a judgment of acquittal in case number 5:05-CR-44-2-BO, reversing Defendant's conviction.

7. The Secretary of the North Carolina State Bar received a certified copy of the judgment of acquittal on July 31, 2007, which was transmitted to the Chair of the Disciplinary Hearing Commission.

8. The Disciplinary Hearing Commission entered an order (hereinafter "vacating order") filed August 6, 2007 vacating the Order of Discipline previously entered in this case in accordance with N.C. Gen. Stat. § 84-28(d), based upon receipt of the certified copy of judgment of acquittal.

9. The vacating order provided, however, that "should Defendant's conviction be reinstated by an appellate court, the Order of Discipline dated October 27, 2006 in this matter shall be reinstated."

10. By judgment filed August 14, 2009 and effective on October 6, 2009, the United States Court of Appeals for the Fourth Circuit reversed the judgment of the District Court, reinstating Defendant's conviction and remanding the case for sentencing.

CONCLUSIONS OF LAW

1. Pursuant to N.C. Gen. Stat. § 84-28(d), an attorney may be disciplined based solely upon conviction of a criminal offense showing professional unfitness.

2. A verdict of guilty by a jury constitutes conviction of a criminal offense.

3. Defendant was disciplined by Order of Discipline entered in this case on October 27, 2006 based upon his conviction of criminal offenses showing professional unfitness.

4. It is appropriate to reinstate the Order of Discipline entered in this case based upon Defendant's conviction concomitant with the reinstatement of the conviction. It is neither necessary nor appropriate to defer reinstatement of the Order of Discipline pending entry of a final judgment after sentencing of Defendant in the criminal case.

ORDER

1. The Order of Discipline previously entered in this case, dated October 27, 2006, is hereby reinstated. The discipline of disbarment under the Order of Discipline shall go into effect 30 days from service of this order upon Defendant.

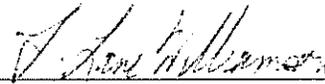
2. Defendant shall surrender his law license and bar membership card within 30 days after service of this order upon him.

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. Admin. Code 1B § .0124 of the North Carolina State Bar Discipline and Disability Rules within 30 days of service of this order upon him.

5. Defendant was disbarred from November 29, 2006 through August 5, 2007, a period of 250 days. Defendant shall receive credit for this time in determining the date he is eligible to apply for reinstatement pursuant to 27 N.C. Admin. Code 1B § .0125(a). The eligibility date shall be calculated from the effective date of the disbarment under this order, less the credit for 250 days.

This the 10th day of December, 2009.



F. Lane Williamson
Chair, Disciplinary Hearing Commission