

FILED

STATE OF NORTH CAROLINA PN 12: 24 IN THE GENERAL COURT OF JUSTICE
WAKE COUNTY WAKE COUNTY, N.C. SUPERIOR COURT DIVISION
FILE NO.: 19 CVS 2091

THE NORTH CAROLINA STATE BAR

Petitioner

v.

SARAH JANE BRINSON, Attorney,

Respondent

AMENDED CONSENT ORDER
OF DISBARMENT

THIS MATTER came before the undersigned Judge of the Superior Court of Wake County upon the tender of surrender of the law license of Sarah Jane Brinson. Petitioner, the North Carolina State Bar, was represented by Joshua T. Walthall. Respondent, Sarah Jane Brinson, was represented by Alan M. Schneider.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Sarah Jane Brinson and the consent of the parties, the court makes the following:

FINDINGS OF FACT

1. Brinson was licensed to practice law on August 28, 2009.
2. During all periods relevant hereto, Brinson was actively engaged in the practice of law in Clinton, Sampson County, North Carolina.
3. On June 5, 2019, Brinson pled guilty to a violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv), a felony that reflects adversely on her fitness as an attorney, for encouraging and inducing an alien, namely, Individual Y.O.C., to reside in the United States, knowing and in reckless disregard of the fact that such residence in the United States was in violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).
4. On July 12, 2019 a Consent Order of Disbarment and Affidavit of Surrender of Law License in the above titled action was filed; however, it lacked the signature of the North Carolina State Bar Deputy Counsel.
5. Based upon the foregoing findings, the Court makes the following:

CONCLUSIONS OF LAW

1. This court has jurisdiction over Brinson and over the subject matter of this proceeding.
2. The courts of this State have the inherent authority to take disciplinary action against attorneys licensed to practice law in North Carolina.
3. By inducing an alien, namely, Individual Y.O.C., to reside in the United States, knowing and in reckless disregard of the fact that such residence in the United States was in violation of law, Brinson committed a criminal act that reflects adversely on her fitness as an attorney in violation of Rule 8.4(b) of the Rules of Professional Conduct.
4. Brinson's misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2).
5. Brinson has engaged in professional misconduct warranting disbarment.

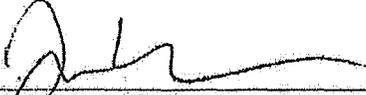
THEREFORE IT IS HEREBY ORDERED:

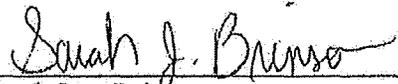
1. The surrender of the license of Sarah Jane Brinson is hereby accepted.
2. Sarah Jane Brinson is DISBARRED from the practice of law in North Carolina effective upon entry of this Amended Order.
3. Brinson shall comply with the provisions of 27 N.C. Admin. Code 1B § .0128 of the Rules and Regulations of the North Carolina State Bar and shall surrender her license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0128. Brinson shall have thirty (30) days from the date of the entry of this order to complete the requirements of § .0128.
4. Within 15 days of the effective date of this Amended Order Brinson shall provide the State Bar with an address and telephone number at which clients seeking return of files can communicate with Brinson and obtain such files.
5. Brinson or the designee of the State Bar shall promptly return client files in her possession, custody, or control to clients upon request, within five days of receipt of such request. Brinson will be deemed to have received any such request three days after the date the request is sent to her if the request is sent to the address Brinson provided to the State Bar pursuant to this Order.
6. Brinson shall not petition for reinstatement of her law license until the expiration of at least five years from the date of entry of this Amended Order.
7. Brinson's law license shall not be reinstated until she has demonstrated to the satisfaction of the Disciplinary Hearing Commission and the Council of the North Carolina State Bar that she has complied with 27 N.C. Admin. Code 1B §§ .0128 and .0129(a).

8. The costs of this action are taxed against Sarah Jane Brinson.

Done and Ordered this the 5th day of August, 2019.


Superior Court Judge Presiding


Joshua T. Walthall
Deputy Counsel, North Carolina State Bar
Attorney for Petitioner


Sarah Jane Brinson
Respondent


Alan M. Schneider
Attorney for Respondent

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Respondent

AFFIDAVIT OF SURRENDER OF LAW
LICENSE

Sarah Jane Brinson, being first duly sworn, deposes and says as follows:

1. I desire to surrender and hereby tender my license to practice law in North Carolina.
2. My surrender is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my surrender.
3. I acknowledge that there is a pending investigation by the North Carolina State Bar regarding allegations that on June 5, 2019, I pled guilty to a violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv), a felony that reflects adversely on my fitness as an attorney, for encouraging and inducing an alien, namely, Individual Y.O.C., to reside in the United States, knowing and in reckless disregard of the fact that such residence in the United States was in violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

Respectfully submitted, this the 25th day of July 2019.

Sarah Jane Brinson
Sarah Jane Brinson

I, Wanda C. Blake, Notary Public of the County of Sampson, State of North Carolina, certify that Sarah Jane Brinson personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of her own personal knowledge, and executed the foregoing Affidavit.

This the 25 day of July, 2019.

Wanda C. Blake
Notary Public
(print name) Wanda C. Blake

My commission expires: April 27 2020

