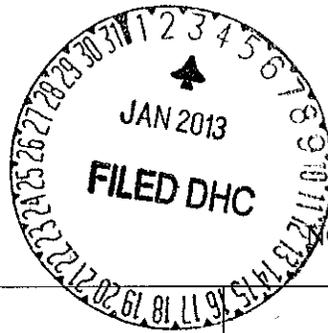


NORTH CAROLINA  
WAKE COUNTY



BEFORE THE SECRETARY  
OF THE  
NORTH CAROLINA STATE BAR  
12 BSR 5

IN RE REINSTATEMENT OF  
JOHNNY S. GASKINS

ORDER OF REINSTATEMENT

THIS MATTER is before the Secretary of the North Carolina State Bar pursuant to a Petition for Reinstatement filed by Johnny S. Gaskins (hereafter, "Gaskins") on December 3, 2012.

Based upon a review of the records of the North Carolina State Bar, the Secretary makes the following:

#### FINDINGS OF FACT

1. Mr. Gaskins was suspended by the Disciplinary Hearing Commission (DHC) for a minimum of two years from the date the order was entered and for the entire length of time he was on supervised probation in the underlying criminal case, according to the terms of the Order of Discipline. The Order of Discipline was entered on December 30, 2010, and by its terms that is the effective beginning date of the suspension.

2. Mr. Gaskins was released from supervised probation by order of the court dated September 21, 2012.

3. Mr. Gaskins' two years of suspension under the Order of Discipline will expire on December 30, 2012.

4. Mr. Gaskins filed a Petition for Reinstatement on December 3, 2012.

5. Pursuant to Rule .0125(b)(2) of the North Carolina Discipline and Disability Rules, 27 N.C. Admin. Code, 1B, § .0125(b)(2), an attorney suspended for more than 120 days is not eligible for reinstatement until the expiration of the period of suspension and until 30 days have elapsed from the filing of the petition for reinstatement. The 30<sup>th</sup> day after the date Gaskins filed his petition for reinstatement is January 2, 2013.

6. Rule .0125(b)(3) sets out the requirements Gaskins must satisfy in order to be reinstated to active status from his suspension. The Order of Discipline did not impose any additional requirements.

7. After conducting an investigation of Gaskins' eligibility and compliance with Rule .0125(b), counsel for the North Carolina State Bar did not file a response objecting to Gaskins' petition for reinstatement.

BASED UPON the foregoing Findings of Fact, the Secretary makes the following:

#### CONCLUSIONS OF LAW

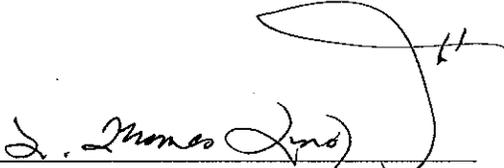
1. Pursuant to Rule .0125(b)(5), if the counsel does not file a response to the petition before the petitioner is first eligible for reinstatement, then the secretary will issue an order of reinstatement.

2. Since the counsel has not filed a response, it is appropriate for the undersigned to issue an order of reinstatement.

3. Based upon the date of the expiration of his suspension and the date of his filing of his Petition for Reinstatement, Gaskins is eligible to be reinstated on January 3, 2013.

THEREFORE, pursuant to Rule .0125 of the North Carolina State Bar Discipline and Disability Rules, 27 N.C. Admin. Code, 1B § .0125, it is hereby ORDERED that Johnny S. Gaskins is hereby reinstated to active status.

This the 3<sup>rd</sup> day of January, 2013.

  
\_\_\_\_\_  
L. Thomas Lunsford, II, Secretary  
The North Carolina State Bar