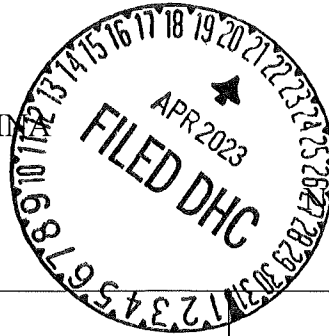


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE COUNCIL  
OF THE  
NORTH CAROLINA STATE BAR  
23 BCS 5

IN THE MATTER OF THE TENDER  
OF SURRENDER OF LICENSE OF

CHARLES M. KUNZ

ORDER OF DISBARMENT

THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0121(a) of the State Bar Discipline & Disability Rules upon tender of an affidavit of surrender of license executed by Charles M. Kunz (hereinafter "Kunz") on April 14, 2023 and filed in the offices of the North Carolina State Bar on April 14, 2023.

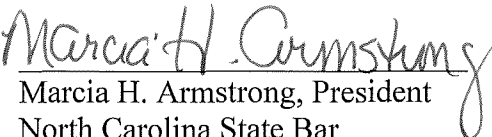
Based upon the affidavit, the Council finds that Kunz misappropriated entrusted funds and engaged in multiple instances of neglect and dishonesty in violation of the North Carolina Rules of Professional Conduct, including Rule 8.4(b) and (c). Kunz's conduct is grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2).

WHEREFORE, upon motion made and duly seconded, the Council enters the following Order:

1. The tender of surrender of license of Charles M. Kunz is hereby accepted.
2. Kunz is hereby DISBARRED from the practice of law in North Carolina.
3. Kunz shall comply with the provisions of 27 N.C. Admin. Code 1B.0128 of the State Bar Discipline & Disability Rules. Kunz shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0128 of the State Bar Discipline & Disability Rules within ten (10) days after the expiration of the wind-down period provided under § .0121(e).
4. The administrative fees and costs of this action are taxed against Kunz.
5. Within 10 days of the date of this Order, Kunz shall provide the State Bar with an address and telephone number at which clients seeking return of files can communicate with Kunz and obtain such files, and Kunz shall promptly return all files to his clients upon request.
6. If Kunz fails to fully comply with 27 N.C. Admin. Code 1B.0128, Kunz shall reimburse the State Bar for all expenses incurred by the State Bar in winding down Kunz's practice. Such expenses may include, but are not limited to, storage facility

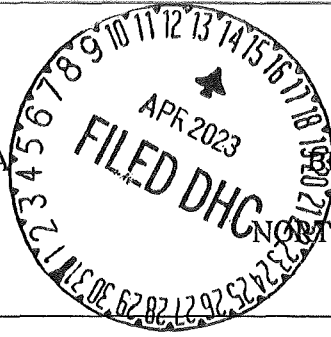
fees, rent payments, moving expenses, charges for secure disposal of client files, postage or other mailing expenses, and compensation paid to a court-appointed trustee and/or the trustee's assistant for time and travel associated with the trusteeship. The State Bar shall send an invoice of wind-down expenses to Kunz at Kunz's last known address of record with the North Carolina State Bar. Kunz shall not be eligible for reinstatement until he has reimbursed the State Bar for all wind-down expenses incurred.

Done and ordered this 21<sup>st</sup> day of April, 2023.

  
Marcia H. Armstrong, President  
North Carolina State Bar

STATE OF NORTH CAROLINA

WAKE COUNTY



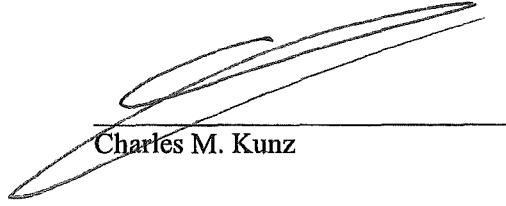
BEFORE THE COUNCIL  
OF THE  
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23 BCS 5

AFFIDAVIT TENDERING THE SURRENDER OF THE LICENSE OF  
CHARLES M. KUNZ

I, Charles M. Kunz, being first duly sworn, say:

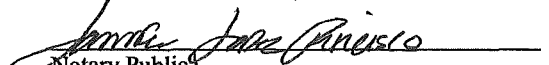
1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to the provisions of Section .0121 of the North Carolina State Bar Discipline and Disability Rules, 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0121.
2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implications of submitting my resignation.
3. I am aware that there are presently pending investigations including allegations that I misappropriated entrusted funds from my trust account for my own benefit and/or for the benefit of another totaling approximately \$85,000.00, and engaged in multiple instances of neglect and dishonesty.
4. I acknowledge that the material facts upon which the grievances are predicated are true.
5. My resignation is being submitted because I know that if charges were predicated upon the misconduct under investigation, I could not successfully defend against them.
6. I understand that the hearing by the Council of the North Carolina State Bar with regard to the acceptance of the tender of surrender of my license to practice law will occur at the regularly scheduled meeting of the Council of the North Carolina State Bar on Friday, April 21, 2023 at the North Carolina State Bar building in Raleigh, North Carolina.
7. I hereby waive any further notice of the hearing before the Council on my affidavit of surrender. I waive any claim, argument, or assertion that I have not received proper or timely notice of the hearing before the Council on my affidavit of surrender or any other defect in notice. I further waive any and all right or privilege to appear before the Council at that hearing.
8. I affirm that I have had a full opportunity to seek the advice and counsel of an attorney in filing my Affidavit of Surrender and in waiving any rights set forth herein.

Respectfully submitted, this the 14 day of April, 2023.

  
\_\_\_\_\_  
Charles M. Kunz

I, Jennifer Lopez Francisco, Notary Public of the County of Durham, State of North Carolina, certify that Charles M. Kunz personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of his own personal knowledge, and executed the foregoing Affidavit.

This the 14 day of April, 2023.

  
\_\_\_\_\_  
Notary Public  
(print name) Jennifer Lopez Francisco

My commission expires: 12-09-2028

JENNIFER LOPEZ FRANCISCO  
NOTARY PUBLIC  
DURHAM COUNTY, NC  
My Commission Expires 12-09-2028.