

THE NORTH CAROLINA STATE BAR

# OFFICE OF COUNSEL

## 2025

# ANNUAL REPORT



## Upholding the integrity of the legal profession.

### **2025 Annual Report Overview:**

The 2025 Office of Counsel Annual Report highlights the North Carolina State Bar's efforts to protect the public and uphold the integrity of the legal profession. It provides an overview of the Office of Counsel's work in attorney discipline, client assistance, trust account compliance, unauthorized practice of law, litigation, and other regulatory activities, along with key statistics, case outcomes, and operational achievements from the past year.

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## Office of Counsel 2025 Annual Report

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# THE OFFICE OF COUNSEL

## Office of Counsel Staff

OOCS  
STAFF

| North Carolina State Bar Office of Counsel Staff |                                                   |
|--------------------------------------------------|---------------------------------------------------|
| <b>Counsel</b>                                   | <b>Investigations</b>                             |
| Carmen H. Bannon                                 | Director of Investigations                        |
| <b>Of Counsel</b>                                | Joseph Commisso                                   |
| Katherine E. Jean                                | <b>Investigators</b>                              |
| <b>Senior Deputy Counsel</b>                     | o Fred Patton                                     |
| o Jennifer A. Porter                             | o Wayne Truax                                     |
| o G. Patrick Murphy                              | o Paul Sugrue                                     |
| o Alex G. Nicely                                 | o Martin Coolidge                                 |
| <b>Deputy Counsels</b>                           | o Rick Grayson                                    |
| o Savannah P. McLamb                             | o Doug Miller                                     |
| o J. Cameron Lee                                 | o Carolyn Page                                    |
| o Elizabeth F. Starnes                           | o Robert Powell                                   |
| o Robert W. Weston                               | o Stephan Lampert                                 |
| o Kelley A. DeAngelus                            | <b>Investigations Administrative Staff</b>        |
| o B. Tessa Hale                                  | o Chris Woods                                     |
| o Jessica M. Arnold                              | <b>Attorney/Client Assistance Program (ACAP)</b>  |
| o Ryan C. Meisnere                               | ACAP Director                                     |
| o Kathryn H. Shields                             | o Lee A. Ramos                                    |
| o Alec J. Glenn                                  |                                                   |
| o Danielle Marquis Elder                         | <b>ACAP Intake Coordinator</b>                    |
| o Michael Manset                                 | o Amber Posada                                    |
| o Kerry A. Sullivan                              | <b>Fee Dispute Facilitators</b>                   |
| <b>Paralegals</b>                                | o Lee A. Ramos                                    |
| o Lori Brooks                                    | o Sylvia Santana                                  |
| o Wondella Payne                                 | o Stephanie Hampton                               |
| o Tyler Gibbens                                  | <b>Public Liaisons</b>                            |
| o Jeff Lundgren                                  | o Elizabeth Robbins                               |
| o Elizabeth Myers                                | o Dawn Patton                                     |
| o Stephen Dahlhoff                               | <b>ACAP Administrative Staff</b>                  |
| o Laura Wyrick                                   | o Diane Melching                                  |
| o Emily Welch                                    | o Hannah Goto                                     |
| <b>Grievance Administrative Staff</b>            |                                                   |
| o Joan Renken                                    | <b>Trust Account Compliance Department (TACD)</b> |
| o Julie Ferrer                                   | TACD Director                                     |
| o Lily Dyson                                     | o Anne Parkin                                     |
| <b>Chief of Staff</b>                            | <b>Field Auditor</b>                              |
| o Becky Carroll                                  | o Todd Bascom                                     |
| <b>Grievance Manager</b>                         | <b>Trust Account Compliance Specialist</b>        |
| o Jennifer Slattery                              | Lori Garner                                       |
| <b>Litigation Manager</b>                        | <b>TACD Administrative Staff</b>                  |
| o Brittany Wilson                                | Maritza Castañeda                                 |



# THE OFFICE OF COUNSEL

ooc

The Office of Counsel (OOC) is the legal department of the North Carolina StateBar. The OOC consists of disciplinary staff, authorized practice staff, an investigations department, the Attorney/Client Assistance Program (ACAP), and the Trust Account Compliance Department (TACD).

The OOC investigates and reports to the State Bar's Grievance Committee on all grievances alleging professional misconduct and disability of North Carolina lawyers. OOC lawyers prosecute claims of professional misconduct and disability in the Disciplinary Hearing Commission.

The OOC assists the Authorized Practice Committee by investigating and reporting upon complaints concerning the unauthorized practice of law (UPL) and representing the State Bar in lawsuits to obtain injunctions prohibiting UPL. It provides legal counsel to the Client Security Fund Board of Directors (CSF) and pursues subrogation actions for recovery of funds paid by the CSF. It coordinates the appointment of trustees to wind down the practices of deceased, disabled, disbarred and missing lawyers and obtains court orders to disburse funds in their trust accounts.

The OOC also represents the State Bar in litigation in federal and state trial and appellate courts, prosecutes disciplinary actions initiated by the judiciary when appointed to do so by the court, and provides legal opinions to departments, committees, and boards of the State Bar.

ACAP helps clients resolve problems with their lawyers other than matters involving potentially serious violations of the Rules of Professional Conduct. ACAP staff also provide information about the grievance process, the courts, and the justice system. ACAP fee dispute facilitators help clients and lawyers reach voluntary resolution of disputes over legal fees.

TACD conducts random audits of lawyer trust accounts, assists lawyers in conforming their trust accounting practices to the Rules of Professional Conduct, provides guidance and educational materials on trust accounting, and operates the Trust Account Compliance Program, through which Rule violations attributable to inadequate trust accounting practices may be addressed with remedial education rather than discipline.





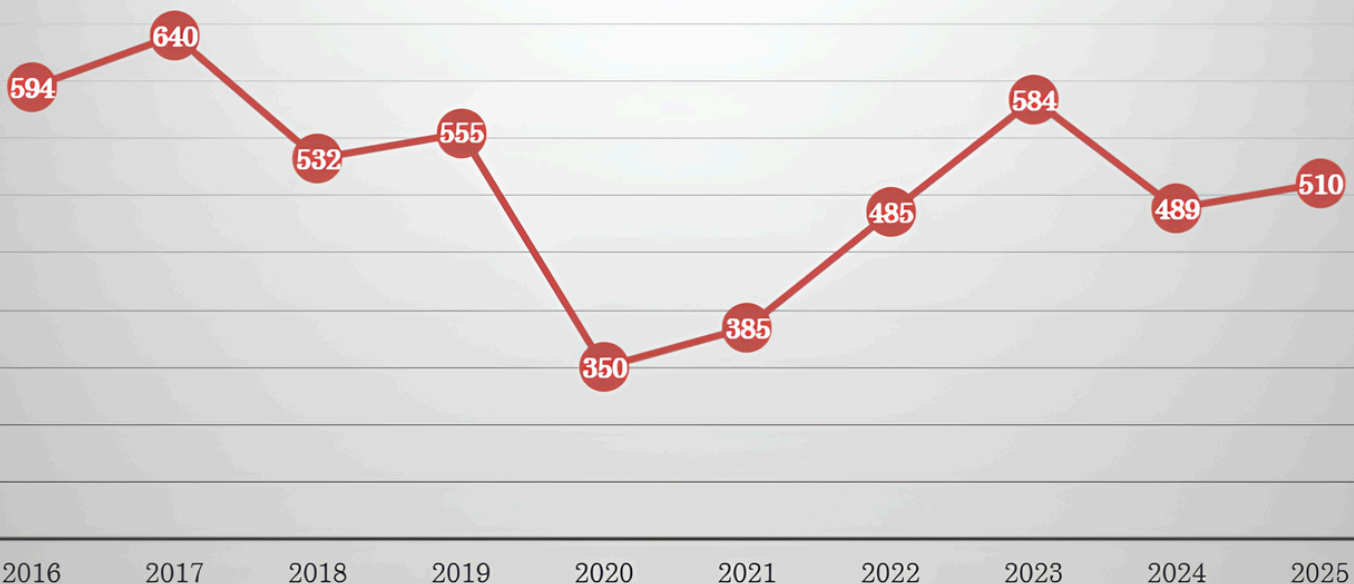
# Attorney Client Assistance Program

## ACAP

The Attorney Client Assistance Program (ACAP) is comprised of eight staff members: The program director, who is also a fee dispute resolution facilitator; two other fee dispute resolution facilitators; an intake coordinator; two public liaisons; and two administrative assistants. During 2025, ACAP staff responded to 5,659 calls from clients and other members of the public. ACAP staff also responded to 2,523 letters from inmates and 3,599 email messages from clients and lawyers. During 2025, ACAP staff contacted 178 lawyers to attempt to resolve client concerns.

Another core ACAP function is to assist in resolving disputes between clients and lawyers regarding fees. In 2025, 510 fee dispute files were opened. This compares to previous years as follows:

### Fee Disputes Opened



# Trust Account Compliance Department

## TACD

In 2024, the State Bar restructured its existing programs to monitor and improve lawyers' handling of entrusted funds. The resulting Trust Account Compliance Department (TACD) encompasses the random audit program, evaluation of lawyers' mandatory reports of misapplication of entrusted funds, educational resources on trust accounting, and the Trust Account Compliance Program (TACP) through which lawyers receive instruction and oversight regarding compliance with the trust accounting rules. The new system allows lawyers under certain circumstances to participate in TACP without Grievance Committee involvement; previously, TACP participation was limited to those who had been referred to the program by the Grievance Committee. The revised TACP also affords more flexibility in tailoring the intensity and duration of program participation to a lawyer's individual needs.

The TACD is comprised of four staff members: The Director, the Trust Account Compliance Specialist who provides training and monitoring for TACP participants, the Field Auditor who conducts random procedural audits of lawyers' trust accounts, and an administrative assistant.

In 2025, eighteen lawyers successfully completed the trust account management training and oversight provided by the Trust Account Compliance Program. The Grievance Committee referred sixteen lawyers to the program in 2025. There were sixty-two active TACP participants as of the end of 2025. Grievance Committee referrals to TACP and the number of lawyers successfully completing the program annually over the last 10 years is as follows:

Trust Account Compliance Program- Referrals & Completions



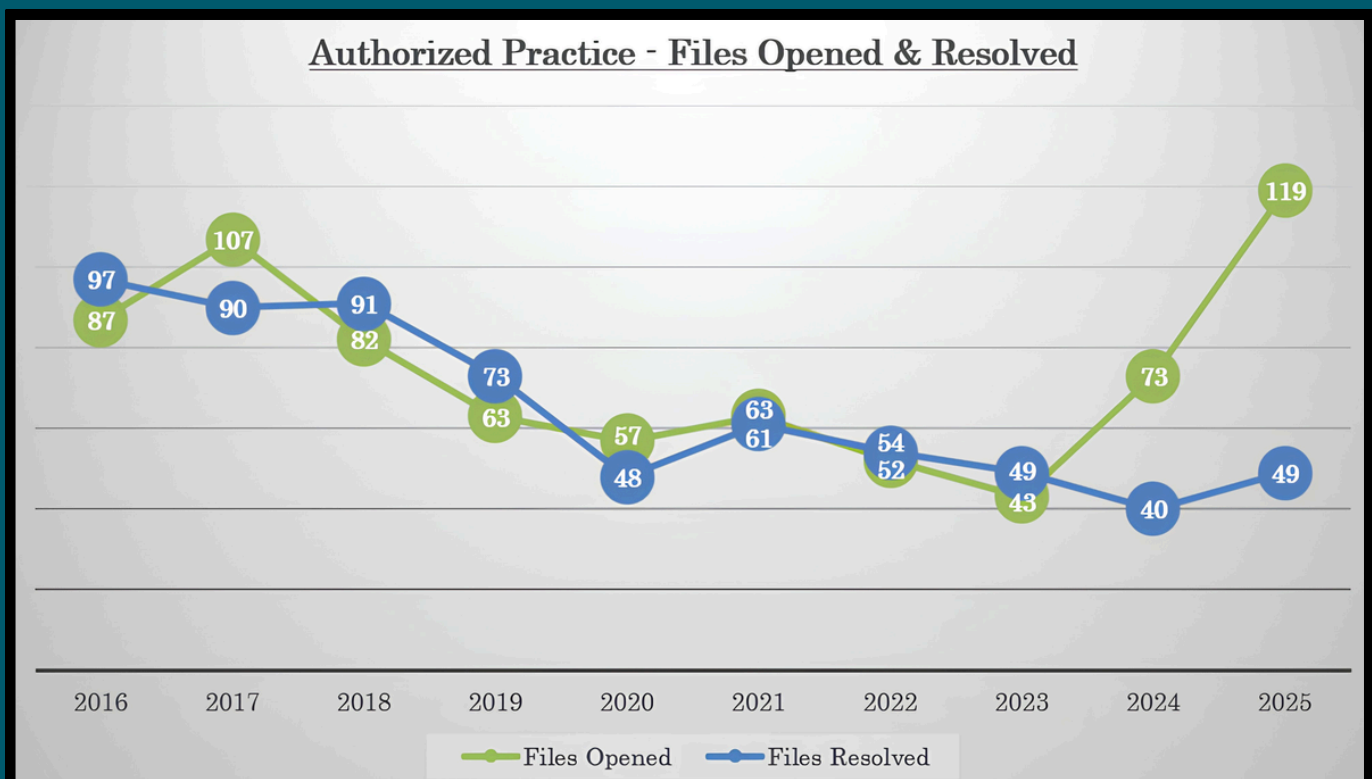


# Authorized Practice Committee

AP

## Files Opened & Resolved

The OOC investigates allegations of unauthorized practice of law and presents findings and recommendations to the State Bar's Authorized Practice Committee. In 2025, the Authorized Practice Committee opened 119 files and resolved 49 files. This compares to previous years as follows:



# 2025 Litigation Addressing the Unauthorized Practice of Law

AP

**State Bar v. Sydney Harr (Wake County Superior Court).** On 11 December 2024, the Wake County Superior Court ex mero motu issued an Order to Show Cause requiring Sydney Harr to show cause why he should not be held in criminal contempt for violating the Court's 2013 injunction prohibiting Harr from engaging in the unauthorized practice of law. The Court appointed the Office of Counsel to prosecute the show cause proceeding and Harr was convicted of contempt after a hearing on 16 January 2025.

**N.C. State Bar v. Eric Olsen (Wake County Superior Court).** The Executive Committee authorized counsel to pursue injunctive relief against Eric Olsen, an Oregon lawyer who held himself out as representing North Carolina residents in debt collection matters. On 15 September 2025, the State Bar filed a Complaint for Permanent Injunction and Motion for Preliminary Injunction in Wake County Superior Court alleging that Olsen engaged in activities constituting the unauthorized practice of law. Olsen agreed to a consent order of permanent injunction, which was entered on 4 November 2025.

**N.C. State Bar v. Tigress McDaniel (Wake County Superior Court/ N.C. Court of Appeals/ U.S. District Court, EDNC/ 4th Circuit Court of Appeals).** The Executive Committee authorized counsel to pursue injunctive relief against Tigress McDaniel, the recipient of a juris doctorate from a non-accredited law school who has not been licensed to practice. McDaniel maintained a website and Facebook page operating under the name "The Ethical Gatekeeper" on which she offers legal document preparation and legal advice. In May 2024, the State Bar filed a Complaint for Permanent Injunction and Motion for Preliminary Injunction in Wake County Superior Court alleging that McDaniel engaged in activities constituting the unauthorized practice of law. Shortly thereafter, McDaniel filed a notice of removal to the U.S. District Court for the Eastern District of North Carolina. The case was remanded to state court in late August 2024 and McDaniel's frivolous appeal from the remand order was finally dismissed by the 4th Circuit in March 2025.

The State Bar's Motion for Temporary Injunction was granted in November 2024, following remand from the federal court. McDaniel, who did not participate in the hearing on the temporary injunction, filed notice of appeal from that decision. The appeal was not docketed due to McDaniel's failure to serve a proposed record. Over the ensuing two months, McDaniel repeatedly and unsuccessfully sought writs of supersedeas and temporary stays from both the Court of Appeals and the Supreme Court. Meanwhile, in Wake County Superior Court, McDaniel failed to meaningfully respond to State Bar discovery requests served in preparation for the hearing on permanent injunction. After an order compelling discovery was entered, McDaniel produced the same deficient responses a second time. In July 2025, the court entered an order granting the State Bar's motion to dismiss McDaniel's counterclaims and entered a default judgment for permanent injunction as a sanction for McDaniel's refusal to comply with the order compelling discovery. To address McDaniel's repeated violations of the permanent injunction, the State Bar filed a Motion for Contempt, which was set for hearing on 10 November 2025. When the court advised McDaniel of her right to counsel, she expressed her desire to privately retain an attorney. The hearing was rescheduled to January 2026 to allow her time to do so.

# Grievance Committee

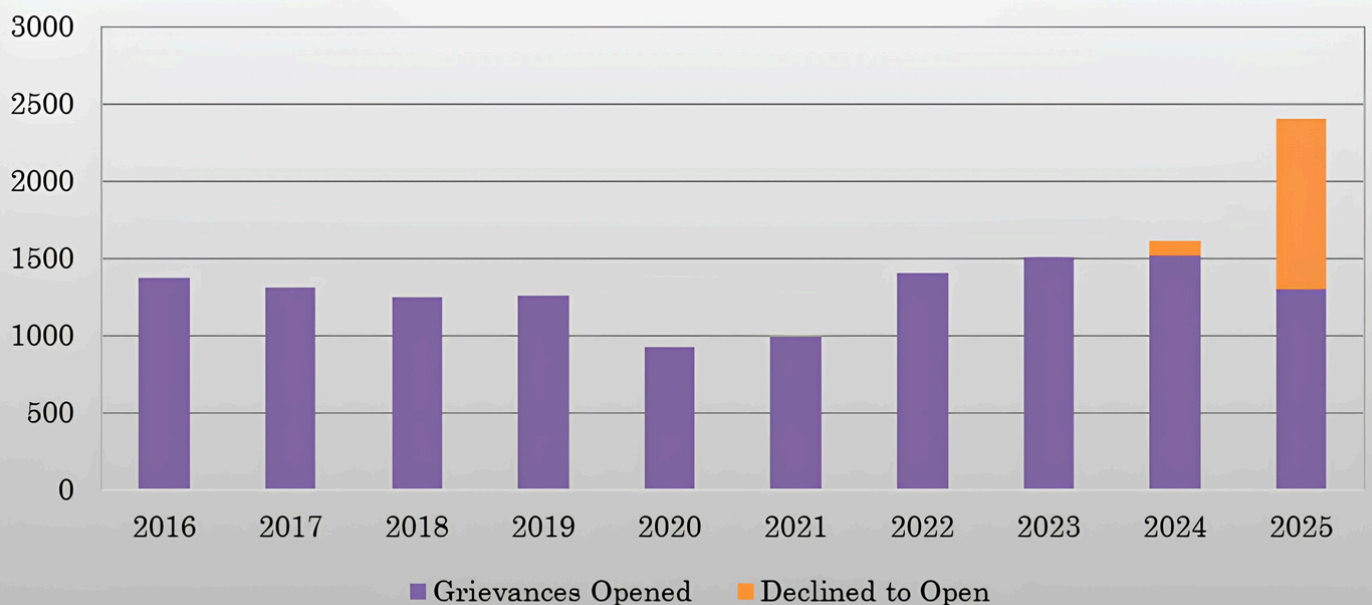
## GRIVANCE

Beginning 1 August 2024 (the effective date of Senate Bill 790, which modified certain State Bar grievance procedures), all grievance complaints are screened by an OOC lawyer to determine whether they meet statutory criteria (e.g., standing, allegation of cognizable Rule violation) and administrative rule criteria for opening a grievance file. The OOC established an Intake Unit to screen complaints, increase consistency and efficiency in grievance processing, and improve assignment of grievance files for investigation. Under the new screening process required by Senate Bill 790, the Office of Counsel declined to open 1,107 files in 2025.

During 2025, the State Bar opened 1,297 grievance files. Although this represents a slight decrease in grievances opened compared to 2024, the volume of incoming complaints the Office of Counsel is tasked with evaluating and investigating continues to increase, as indicated by the following data[1]:

\*Office of Counsel data is compiled quarterly in advance of each quarterly meeting of the State Bar Council. This annual report aggregates quarterly data that was originally compiled on 4/11/2025, 7/11/2025, 10/12/2025, and 1/13/2026.

### Annual Grievance Submissions



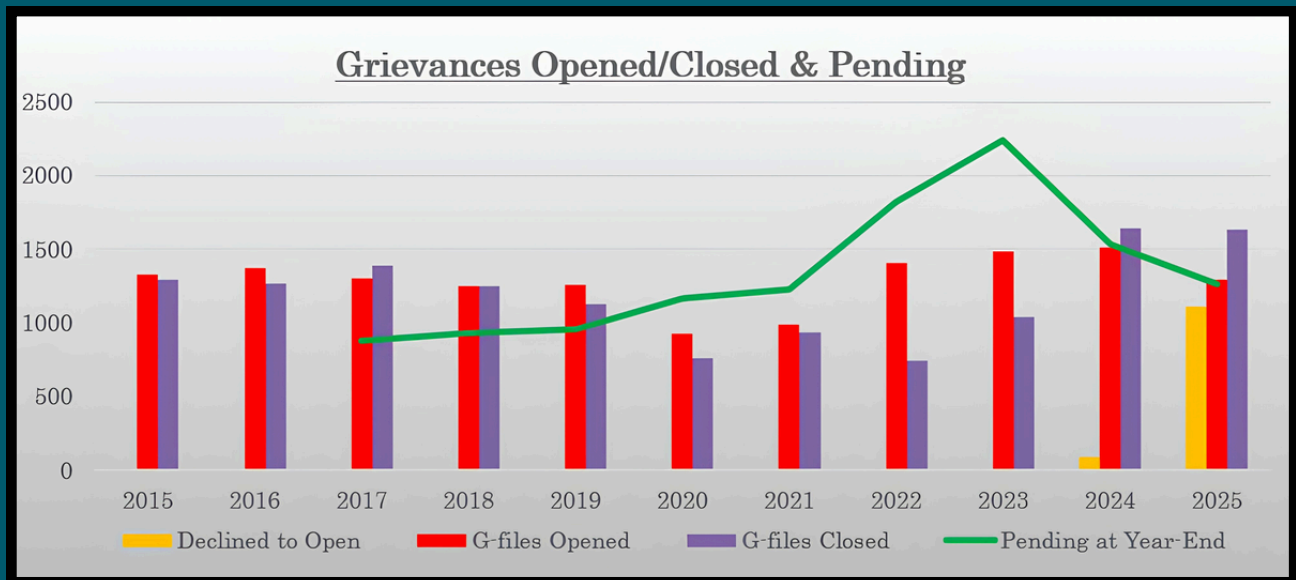
[1] The totals represented on this chart for 2018, 2019, and 2023 vary slightly from previously published reports. The totals in this report are based on a review and reevaluation of Office of Counsel data in late 2024. The discrepancies are believed to derive from errors related to a ransomware attack on the State Bar and several transitions between case management databases.



## GRIEVANCE

Grievance  
Committee

Notwithstanding the increased volume of complaints submitted, the OOC has significantly reduced the number of pending grievance files over the last two years:



In 2025, the State Bar's Grievance Committee considered a total of 1,638 grievance files, 1,406 of which (86%) were dismissed. In the grievances that were not dismissed, the Committee authorized the following dispositions:

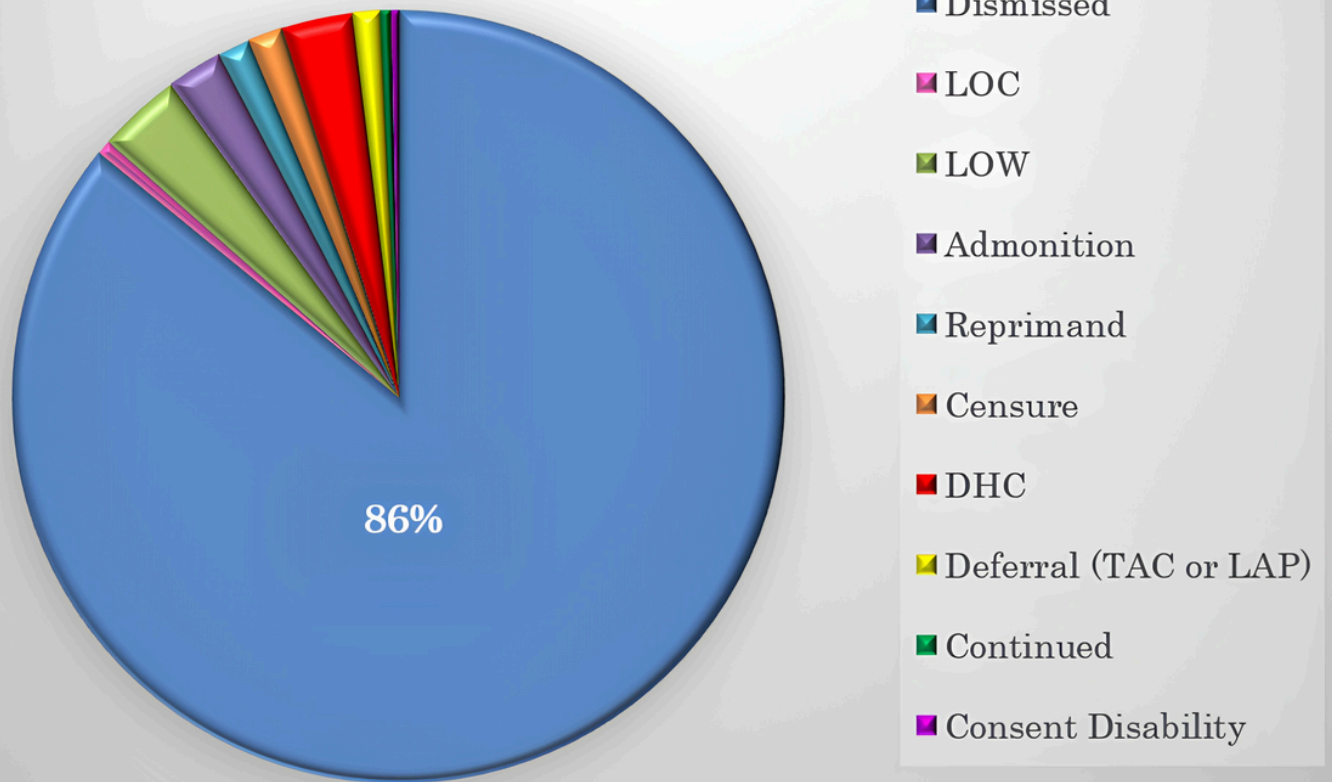
|                                                                                                                |                                 |
|----------------------------------------------------------------------------------------------------------------|---------------------------------|
| Referral to Lawyers Assistance Program                                                                         | 3 files                         |
| Referral to Trust Account Compliance Program                                                                   | 16 files                        |
| Dismissal with Letter of Caution                                                                               | 10 files                        |
| Dismissal with Letter of Warning                                                                               | 57 files                        |
| Admonition                                                                                                     | 38 files                        |
| Reprimand                                                                                                      | 22 files                        |
| Censure                                                                                                        | 24 files                        |
| Referral for Hearing before the Disciplinary Hearing Commission                                                | 49 files (involving 23 lawyers) |
| Five files were resolved with consent orders transferring the respondent lawyer to disability inactive status. |                                 |
| The Committee continued 7 files for consideration at a subsequent meeting.                                     |                                 |
| One file was reconsidered and abated                                                                           |                                 |

Nine matters were considered by a Grievance Review Panel in 2025.

GRIEVANCE

2025 Grievance Outcomes

2025 Grievance Outcomes



# Cases Before the Disciplinary Hearing Commission

## DHC

The Disciplinary Hearing Commission (DHC) is an independent administrative tribunal that hears lawyer discipline and disability cases. The twenty-six member commission hears cases involving alleged violations of the Rules of Professional Conduct, cases in which it is alleged that a lawyer is disabled, petitions from disbarred and suspended lawyers seeking reinstatement of their law licenses or stays of the remainder of a suspension, actions requiring lawyers to show cause why they should not be found to have violated an existing order of the DHC, and petitions to suspend a lawyer's license for non-compliance with a grievance investigation. Each case is heard by a three-member panel consisting of two lawyers and one public member. DHC [hearing schedules](#) and [orders of the DHC](#) are available on the State Bar's website.

During 2025, the OOC completed twelve discipline and/or disability cases before the DHC. Of the twelve cases decided by the DHC in 2025, five were resolved by hearing or default judgment, five were resolved by consent, and two were dismissed. The OOC also filed seven petitions for grievance noncompliance suspension in the DHC. Matters addressed by the DHC in 2025 are listed in the following table:

| Lawyer                    | File No.   | Outcome                                                   |
|---------------------------|------------|-----------------------------------------------------------|
| Eddie Meeks               | 24 DHC 15  | Disbarred (Phase II hearing)                              |
| Jonathan Charleston       | 22 DHC 16  | Censure (Phase II hearing)                                |
| Anastasis Cowan           | 24 DHC 18  | Dismissed                                                 |
| John Mansfield            | 24 DHC 19  | 2-year Suspension; possible stay after 6 months (consent) |
| Jaime Halscott            | 24 DHC 13  | Voluntary Dismissal                                       |
| Robert Tucker             | 25 DHC 2   | 3-year suspension; possible stay after 1 year (default)   |
| Elizabeth Caviness        | 25 DHC 1   | 5-year suspension; possible stay after 3 years (default)  |
| Christopher Sanders       | 25 DHC 11  | 6-month suspension (consent)                              |
| Allan R. Grimsley         | 22 DHC 6   | Disbarred* (hearing)                                      |
| Anita B. Hunt             | 23 DHC 8   | 5-year <a href="#">stayed</a> suspension (consent)        |
| Jason Davis               | 25 DHC 12  | 5-year <a href="#">stayed</a> suspension (consent)        |
| R. Steve Monks            | 25 DHC 14  | Censure with conditions (consent)                         |
| Jonathon Speight          | 25 DHC 4N  | Suspended for Grievance Non-Compliance                    |
| Tabitha Etheridge         | 25 DHC 3N  |                                                           |
| Tiana Danise Young Morris | 25 DHC 5N  |                                                           |
| Richard Batts             | 25 DHC 6N  |                                                           |
| Andre Hogan               | 25 DHC 9N  |                                                           |
| Mary L. Rogers            | 25 DHC 13N |                                                           |
| Jonathan Connor           | 25 DHC 16N |                                                           |

\* Order of Discipline not yet effective as of 12/31/2025; stayed by consent.

## Petitions for Stay and for Reinstatement

In 2025, seven petitions for stay of suspension or reinstatement to practice were filed in the DHC. Four lawyers were reinstated, one lawyer was denied reinstatement, one lawyer voluntarily dismissed the petition, and one lawyer was granted a stay of suspension.

| Lawyer               | File No.                   | Outcome                                             |
|----------------------|----------------------------|-----------------------------------------------------|
| Stephanie Villaver   | 17 DHC 3                   | Reinstated from disability                          |
| Emily C. Moore Tyler | 19 DHC 24R                 | Reinstated from suspension                          |
| Jeffrey D. Smith     | 15 DHC 27R2<br>18 DHC 26R2 | Denied reinstatement from suspension                |
| Nicolle Phair        | 23 DHC 11R                 | Suspension stayed                                   |
| Richard Batts        | 25 DHC 6N                  | Reinstated from grievance non-compliance suspension |
| Mark V. Gray         | 25 BSR 1                   | Voluntarily Dismissed Petition                      |
| Tony Botros          | 25 RD 1                    | Reinstated from disability                          |

## Disciplinary Appeals

The OOC represented the State Bar in two cases that were decided by North Carolina appellate courts in 2025 and five additional appeals that were still pending at the end of 2025.

### Appeals Completed in 2025

| Case                                 | File No.  | Outcome                        |
|--------------------------------------|-----------|--------------------------------|
| <i>State Bar v. Martin Musinguzi</i> | 22 DHC 21 | Order of discipline reversed   |
| <i>State Bar v. Jaime Halscott</i>   | 24 DHC 13 | Dismissed as moot <sup>2</sup> |

### Appeals Pending as of December 31, 2025

| Case                                       | File No.  | Status as of 12/31/2026                          |
|--------------------------------------------|-----------|--------------------------------------------------|
| <i>State Bar v. Mark Cummings</i>          | 22 DHC 25 | State Bar's responsive brief due 26 January 2026 |
| <i>State Bar v. Richard E. Batts</i>       | 24 DHC 1  | State Bar's responsive brief due 28 January 2026 |
| <i>State Bar v. Mark Key</i>               | 21 DHC 23 | Assigned to panel without oral argument          |
| <i>State Bar v. R. Jonathan Charleston</i> | 22 DHC 16 | Appellant brief due 21 January 2026              |
| <i>State Bar v. David Payne</i>            | 25 BCR 2  | State Bar's responsive brief due 31 January 2026 |

[2] After the Court of Appeals issued its opinion in *State Bar v. Musinguzi*, the Office of Counsel dismissed the underlying DHC case against Halscott.



# Actions Before the State Bar Council

## COUNCIL ACTIONS

Authority to grant or deny petitions for reinstatement filed by disbarred lawyers is vested in the State Bar Council. The Council also has the authority to enter orders of disbarment when a lawyer facing allegations of misconduct surrenders his or her law license. The OOC advises the Council in connection with reinstatement and surrender cases.

Three petitions for reinstatement from disbarment came before the Council in 2025.

| Lawyer           | File No. | Outcome                                 |
|------------------|----------|-----------------------------------------|
| Charles Blackmon | 25 BCR 1 | Reinstated                              |
| David R. Payne   | 25 BCR 2 | Reinstatement denied;<br>pending appeal |
| Matthew Ragaller | 25 BCR 3 | Withdrew petition                       |

Two lawyers surrendered their law licenses to the State Bar Council and were disbarred:

| Lawyer               | File No. | Date of Disbarment |
|----------------------|----------|--------------------|
| James C. Worthington | 25 BCS 1 | 25 April 2025      |
| John H. Painter      | 25 BCS 2 | 25 July 2025       |

# Actions in the State Trial Courts

## COURT ACTIONS

### Judicial Discipline & Disability Proceedings

In 2025, the OOC participated in the following judicial discipline and disability matters before the courts:

| Case                                 | File No.                                                 | Disposition                  |
|--------------------------------------|----------------------------------------------------------|------------------------------|
| <i>State Bar v. R. Scott Lindsay</i> | 24-CV-40431<br>(Wake County)                             | Surrendered and<br>Disbarred |
| <i>In re Taylor Dant</i>             | 24-SP-1304<br>(Alamance County)                          | Pending                      |
| <i>In re Mark Key</i>                | U.S. Court of Appeals for<br>the 4 <sup>th</sup> Circuit | Pending                      |

### Trusteeships

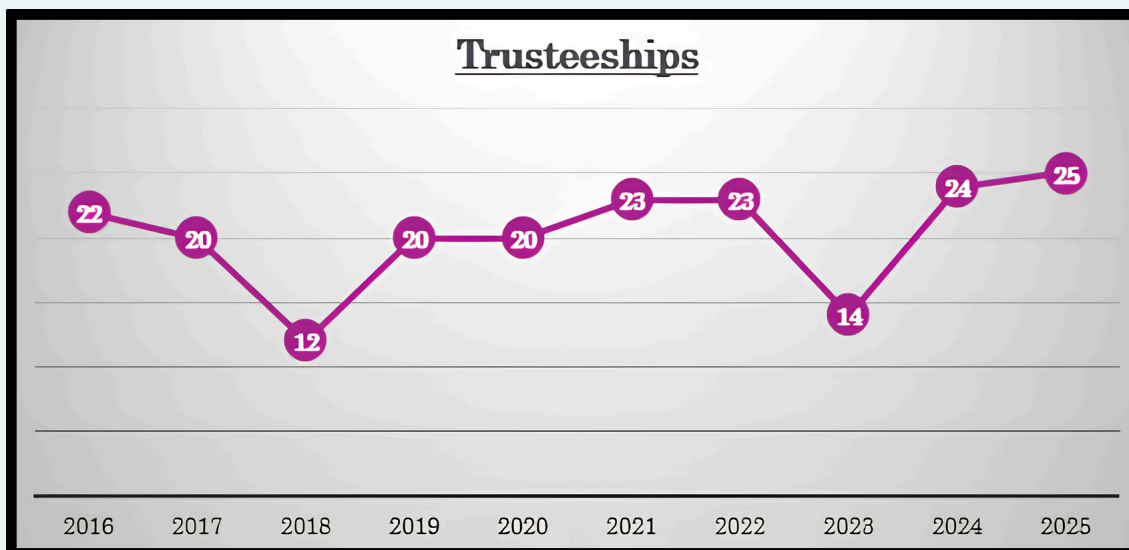
The State Bar has statutory authority to seek “orders necessary to protect the interests of clients of missing, suspended, disbarred, disabled, or deceased attorneys,” including appointment of a trustee to wind down the law practice. N.C.G.S. § 84-28(j).

In 2025, the OOC petitioned the courts to appoint trustees to wind down the law practices of 25 lawyers:

## COURT ACTIONS

| Lawyer                       | Location of Practice |
|------------------------------|----------------------|
| Ronald Barbee                | Greensboro           |
| Thomas E. Barwick            | Clayton              |
| Jason Ryan Binette           | Charlotte            |
| Lucian Holt Felmet, Jr.      | Lillington           |
| Wilbert Mills Faircloth      | Clinton              |
| H. Trade Elkins              | Horse Shoe           |
| L. Ragan Dudley              | Mooresville          |
| Christian Kaunas Glista      | Matthews             |
| Richard Allan Horgan         | Castle Hayne         |
| Steve C. Horowitz            | Charlotte            |
| Joseph Robert Hurwitz        | Lake Lure            |
| Janice Head Kornegay         | Mount Olive          |
| Larry J. McGlothlin          | Fayetteville         |
| Janet McLamb                 | Chapel Hill          |
| Barry D. Nakell              | Chapel Hill          |
| Anita Davis Pearson          | Knightdale           |
| Robert Chase Raiford         | Burlington           |
| Philip Carl Shaw             | Four Oaks            |
| Travis H. Simpson            | Winston Salem        |
| Joseph Elmer Stroud, Jr.     | Richlands            |
| Trawick Hamilton Stubbs, Jr. | New Bern             |
| Allen Wilton Wood, III       | Newton               |
| Adam Gabriel Wood            | Ohio                 |
| Brinton Douglas Wright       | Greensboro           |
| James Lynwood Wilson         | Liberty              |

This compares to previous years as follows:



## Injunctions

The State Bar has statutory authority to petition the Wake County Superior Court to enjoin misconduct by a lawyer “where the necessity for prompt action exists regardless of whether a disciplinary proceeding in the matter of the conduct is pending.” N.C.G.S. § 84-28(f). During 2025, the OOC obtained injunctions in Wake County Superior Court prohibiting three lawyers from handling entrusted funds, and one lawyer from practicing law:

| Lawyer                                        | Date of Injunction |
|-----------------------------------------------|--------------------|
| <u>Enjoined from Handling Entrusted Funds</u> |                    |
| Jason Binette                                 | 1 April 2025       |
| W. Travis Barkley                             | 11 September 2025  |
| Kory D. Kiger                                 | 29 September 2025  |
| <u>Enjoined from Practicing Law</u>           |                    |
| Taylor Dant                                   | 14 April 2025      |

### COURT ACTIONS

This compares to previous years as follows:



# Litigation against the State Bar or its Constituents

The OOC and the North Carolina Attorney General's Office represented the State Bar in various state and federal courts and administrative tribunals in 2025.

## Litigation Completed During 2025

### North Carolina Courts & Administrative Tribunals

#### **Teresa Waters v. "State of North Carolina Bar Association" (NC Industrial Commission).**

Waters filed this purported tort claim, alleging that the "State of North Carolina Bar Association" failed to investigate grievances she filed. Waters sought unquantified recovery for alleged financial harm and emotional distress, costs, and attorney fees. She also filed a purported tort claim against the Judicial Standards Commission. The two claims were consolidated for hearing by the deputy commissioner, who dismissed the claims with prejudice in June 2023. Waters appealed. The Full Commission affirmed. Waters filed notice of appeal to the Court of Appeals but failed to serve a proposed record, so the appeal was never docketed. From December 2023 through April 2024, Waters filed a flurry of unsuccessful petitions for writs and motions in the Court of Appeals, culminating in three successive "Motions for Clarification" in May 2024. There was no additional activity in the case for over a year.

### Federal Courts

**Richard Polidi v. A. Todd Brown and Margaret Cloutier (U.S. District Court, EDNC).** Polidi did not sue the State Bar or any of its representatives in his first complaint in this action. In November 2023, he filed an amended complaint asserting claims against State Bar President A. Todd Brown and former (now retired) State Bar Deputy Counsel Margaret Cloutier, in both their individual and official capacities. In the amended complaint, Polidi alleged that Brown, Cloutier, and others engaged in a conflict of interest when the State Bar investigated and dismissed a grievance he filed against an OOC lawyer. The Attorney General represented Cloutier and Brown. Their motions to dismiss were referred to the U.S. Magistrate Judge, who entered a lengthy memorandum recommending dismissal. In July 2024, the District Court entered an order dismissing all claims with prejudice. In August 2024, Polidi filed a motion to set aside the judgment and for a new hearing. That motion was denied in October 2024. Polidi filed notice of appeal to the Fourth Circuit and was allowed several extensions of time to file his informal opening brief. On 12 March 2025, the Court notified Polidi that the case was subject to dismissal if he did not file his brief by 27 March 2025. Polidi did not file a brief by that deadline. On 16 April 2025, the 4th Circuit dismissed the appeal for failure to prosecute. While the appeal was pending, Polidi had filed yet another motion to set aside (this time targeting the District Court's order denying his first motion to set aside). On 20 May 2025, after receiving the 4th Circuit's mandate, the District Court denied Polidi's second motion to set aside.



## Litigation against the State Bar or its Constituents continued.

**Ka'lah Martin, et al v. State of North Carolina, et al (U.S. District Court, MDNC).** On 4 February 2025, licensee Taylor Dant filed this lawsuit on behalf of five named plaintiffs and "John and Jane Does A-Z." The named defendants included the State Bar, State Bar Deputy Counsels Kelley DeAngelus and Cameron Lee, and scores of others, including courts, counties, clerks of court, court buildings, law enforcement agencies, boards of elections, and private individuals and entities, such as Bissell Pet Foundation. The complaint was 130 pages long and incomprehensible. The plaintiffs purported to seek compensatory and punitive damages in unspecified amounts and attorney fees for alleged violations of the U.S. Constitution and alleged violation of the North Carolina False Claims Act. Dant never served any of the defendants.

On 21 April 2025, the same day she was enjoined from practicing law by the Wake County Superior Court, Dant filed a notice of voluntary dismissal without prejudice. The next day, the District Court issued an order requiring Dant to show cause why she should not be enjoined from practicing in the federal court. In the resulting order enjoining Dant from practice in the MDNC, the court noted that the complaint in this case was "largely incoherent and nonsensical," and observed that Dant "seemed befuddled about basic rules of procedure, jurisdiction, and who could be a plaintiff in a lawsuit."

## Pending Litigation as of December 31, 2025

### North Carolina Courts & Administrative Tribunals

**Richard Polidi v. Moore Van Allen PLLC, et al (Wake County Superior Court).** In 2020, disbarred lawyer Richard Polidi filed a complaint alleging that various named defendants, including State Bar Counsel Carmen Bannon, two law firms, and "John Does 1-20" engaged in "misappropriation of trade secrets" by allegedly disclosing or receiving information related to grievance files against Polidi. Approximately every ninety days for the ensuing five years, Polidi had alias and pluries summonses issued but did not serve any of the defendants. In July 2025, Polidi finally transmitted the summons and complaint to various defendants, including Bannon. All defendants filed motions to dismiss, which were calendared for hearing in January 2026. The Office of Counsel represents Bannon.

**Jennifer Gauze v. N.C. State Bar (Alamance County Superior Court).** On 23 June 2025, Gauze filed a "Petition for Writ of Mandamus" asking the Alamance County court to compel the State Bar to take action on a grievance she filed. The petition cites no applicable authority for the relief sought. The petition was sent to the Office of Counsel, but no complaint or summons was filed or served. To the extent a responsive filing is necessary, the Office of Counsel will represent the State Bar.

## Litigation against the State Bar or its Constituents continued.

### Federal Courts

**Hankins v. Wells Fargo et al (U.S. District Court, EDNC).** On 13 December 2024, a former grievance complainant filed a complaint containing wide-ranging, vague, and unintelligible allegations of purported malfeasance by the State of North Carolina, several municipalities, State, county, and local officials, approximately a dozen lawyers, four banks, an insurance company, and Whole Foods Market, among others. State Bar Senior Deputy Counsel Jennifer Porter was not listed as a defendant in the case caption but was served with a summons and copy of the complaint, which cited more than a dozen federal statutes but only occasionally specified which claims he was asserting against which defendants. Porter was only mentioned in a single sentence fragment in the complaint. On 9 January 2025, the Office of Counsel filed a motion to dismiss for failure to state a claim on behalf of Porter. On 5 August 2025, the U.S. Magistrate Judge entered a Memorandum and Recommendations recommending that Porter's motion to dismiss, along with approximately 17 similar motions filed by other defendants, be granted.

In January 2024, **Morag Black Polaski, Shawana Almendarez, and the North Carolina Justice for All Project** filed a lawsuit in the United States District Court for the Eastern District of North Carolina. Plaintiffs alleged that they would like to provide legal services to North Carolinians both without charge and for compensation but are prohibited from doing so by North Carolina's statutes and regulations prohibiting the unauthorized practice of law. They sought a declaratory judgment that enforcement of North Carolina's statutes and regulations prohibiting UPL violates the First Amendment as applied to them; a permanent injunction enjoining future enforcement of those statutes and regulations; attorney fees; and costs. Although the complaint was originally against then-Attorney General Josh Stein, a March 2024 amended complaint removed Stein as the defendant and replaced him with five elected district attorneys and State Bar President Todd Brown in his official capacity. The amended complaint sought the same relief from the new defendants. The State Bar retained outside counsel to represent President Brown and their motion to dismiss for failure to state a claim was granted by Judge Boyle in December 2024. Plaintiffs filed Notice of Appeal to the 4th Circuit, which entered an order holding the appeal in abeyance until the Supreme Court ruled on the petition for certiorari filed by the plaintiff in *360 Virtual Drone Servs. LLC v. Ritter*, 102 F.4th 263 (4th Cir. 2024). The Supreme Court is not expected to rule on the *360 Virtual Drone* petition before it decides *Chiles v. Salazar*, which is anticipated in the summer of 2026. Thus, the *Polaski* appeal will likely not return to active status until mid-2026.