

**REPORT OF THE OFFICE OF COUNSEL
TO THE N.C. STATE BAR COUNCIL
APRIL 23, 2026**

**ATTORNEY CLIENT ASSISTANCE
PROGRAM**

During the first quarter of 2026, ACAP staff responded to 1,692 phone calls from members of the public and placed 45 calls to lawyers. Staff also responded to 964 emails from members of the public and attorneys and responded to 550 letters from inmates and the public. In addition, 10 documents submitted in Spanish were translated. ACAP Intake logged 3,085 entries this quarter.

The State Bar opened 132 fee dispute resolution files during the first quarter.

GRIEVANCE

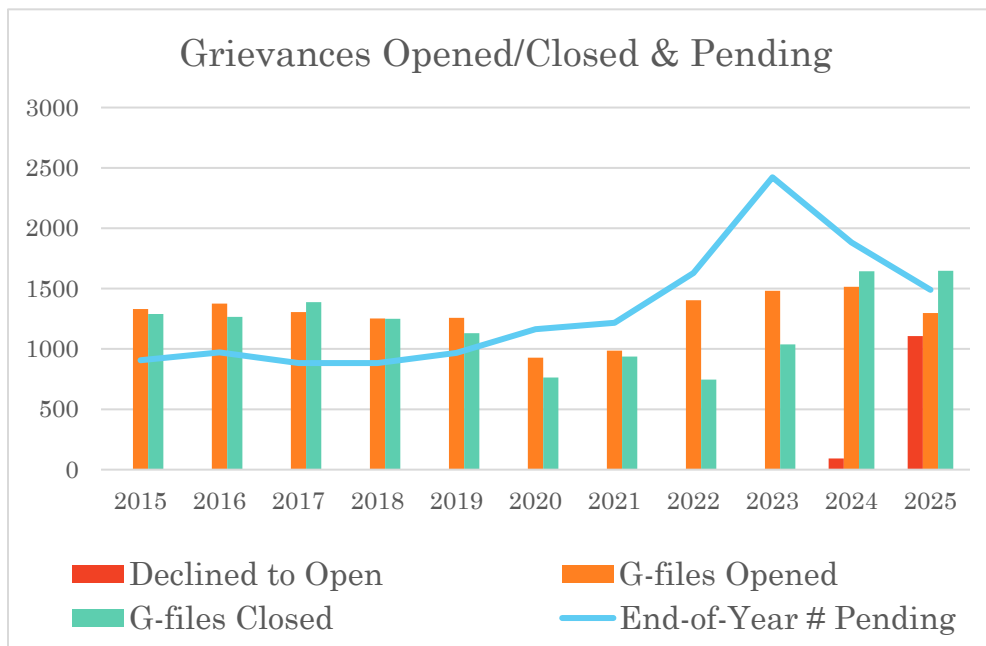
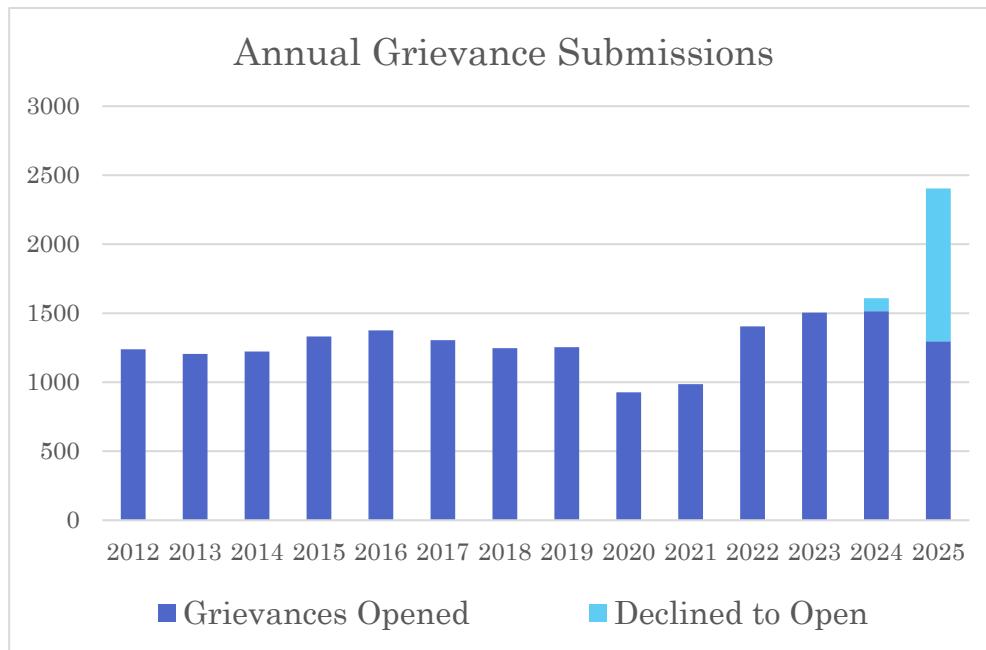
Increasing Grievance Submissions & Intake Screening

The trend of increased complaints against lawyers continues. In 2025,¹ the State Bar received 2,199 incoming complaints and opened another 141 grievance investigations on its own initiative. The State Bar has already received more than 600 complaints in 2026, so projections for this year are even higher than last year.

Beginning 1 August 2024, all grievance submissions have been screened by an attorney in the Grievance Intake Unit to determine whether they meet the statutory criteria (e.g., standing, allegation of cognizable Rule violation) before a grievance file is opened. In 2025, the Intake Unit reviewed a total of 2,404 files involving allegations of misconduct by lawyers (1,297 grievances opened; 1,107 declined to open). Intake Unit screening enabled the OOC to not only absorb the record-breaking number of complaints received by the State Bar in 2025, but also continue our backlog-reduction efforts, as illustrated in the following charts.

¹ The 2025 numbers represent the period from 16 January 2025 through 15 January 2026.

Quarterly OOC stats are compiled on the 15th of January, April, July, and October. Starting this year, annual statistics for the Office of Counsel will aggregate data from the four preceding quarterly reports rather than representing activity during the January 1-December 31 calendar year.



Current Grievance Statistics

As of 15 April 2026, 1,462 grievances were pending. Eight of those pending files were in judicial district grievance committees or had been returned by district committees within the past 30 days. The OOC has made its recommendation in 256 of the pending files and those files are ready for the Grievance Committee’s decision. Of the remaining 1,198 files in which no recommendation has yet been made, 789 were more than six months old; of those, 398 were more than 18 months old. The OOC has been placing special emphasis on disposing of grievances that have been pending for more than 18 months. One hundred sixteen grievances are currently stayed.

In the first quarter of 2026, 278 files were dismissed by the Grievance Chair or by the Grievance Chair and a Vice Chair.

There were no inquiries about lawyer advertising in the first quarter of 2026.

Office of Counsel/Committee Leadership Achievements

Despite the record-high volume of complaints against lawyers, the number of pending grievances has been reduced by 37% in the past two years (2,324 vs. 1,462 currently).

The number of pending grievances that are more than 18 months old has been reduced by 22% in the last year (508 vs. 398 currently).

The significant decrease in aging and pending files is attributable to extraordinary efforts by OOC staff and the Grievance Chair and Vice-Chairs. This progress is particularly notable because it has been accomplished notwithstanding an escalating workload due to process changes and the ever-increasing volume of complaints received.

Grievance Review Panels

There was one Grievance Review Panel held in the last quarter.

No Grievance Review Panels were requested from the January 2026 Grievance Committee dispositions.

DISCIPLINE AND DISABILITY CASES

MATTERS COMPLETED DURING THE FIRST QUARTER OF 2026

Completed Disciplinary Cases Before the DHC

The OOC completed three disciplinary cases before the DHC this quarter.

J. Michael Edney – 25 DHC 7

Edney, of Hendersonville, failed to respond to the State Bar on multiple occasions and mismanaged entrusted funds resulting in a deficit in his trust account, the investigation of which was impeded by his failure to respond to the State Bar. In addition, Edney failed to communicate with a client, failed to provide the client with an accounting of entrusted funds, prepared and recorded an invalid deed for a client, and improperly engaged in a business transaction with a client. On 13 February 2026, the DHC entered a Consent Order of Discipline imposing a 4-year suspension, stayed 4 years upon compliance with conditions.

Erin J. Phillips – 25 DHC 10

Phillips, of Cashiers, misappropriated entrusted funds, failed to respond to grievance investigations, failed to comply with a court order of preliminary injunction, and neglected client matters. In September 2025, the DHC entered a Default Order. Following a Phase II hearing in January, the DHC disbarred Phillips in an Order of Discipline entered on 16 February 2026.

Colin P. McWhirter – 25 DHC 17

McWhirter, of Shelby, mismanaged his trust account, neglected a client matter, failed to withdraw from client matters and engaged in UPL when his license was administratively suspended, engaged in a prohibited *ex parte* communication, and failed to respond to the State Bar. On 12 February 2026, the DHC entered a Consent Order of Discipline imposing a 3-year suspension, stayed for 3 years upon compliance with conditions.

Completed Petitions for Reinstatement/Stay Before the DHC - Uncontested

No uncontested petitions for reinstatement/stay were completed this quarter.

Completed Petitions for Reinstatement/Stay - Contested

Charles Blackmon – 25 BCR 1

Blackmon, of Greensboro, petitioned for reinstatement following his 2019 disbarment for misappropriating entrusted funds to which his employer was entitled. After a hearing in May 2025, the DHC entered an order recommending that the petition be denied. Blackmon appealed to the State Bar Council, which considered the case at its January 2026 meeting. On 23 January 2026, the State Bar Council entered an Order

of Reinstatement granting Blackmon’s petition for reinstatement to the practice of law.

Tony Botros – 25 RD 1

Botros, of Cary, petitioned for reinstatement from disability inactive status. On 23 January 2026, the DHC entered a Consent Order of Reinstatement reinstating Botros to active status upon compliance with conditions for a period of two years following entry of the order.

Penny Bell – 21 DHC 17R

Bell, of Dunn, sought to stay the remainder of a three-year suspension imposed in 2024 for making multiple false statements under oath while testifying during a *Batson* remand hearing, engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, and making multiple false statements to the Bar in conjunction with a grievance matter. The DHC granted the State Bar’s motion for summary judgment (denying the petition) on 30 December 2025 and an Order Granting Summary Judgment was entered on 19 February 2026.

Mary March Exum – 26 BCR 1

Exum, of Asheville, sought reinstatement from her 2019 disbarment for multiple rule violations including practicing while her law license was suspended, failing to refund unearned fees to former clients, making a false statement of material fact or law to a third person, and for collecting legal fees after the effective date of the suspension of her law license. On 17 April 2026, the DHC entered an order granting the State Bar’s motion to dismiss the petition. Exum filed notice of appeal.

Interim Suspensions

Robert P. Tucker, II – 26 DHC 3(I)

On 25 February 2026, Tucker, of Asheville, was convicted after a trial by judge on one count of obtaining property by false pretenses, a class C felony, in violation of N.C. Gen. Stat. § 14-100 and one count of conspiracy to obtain property by false pretenses, a class D felony, in violation of N.C. Gen. Stat. § 14-2.4(A) in the General Court of Justice, Superior Court Division, Buncombe County, North Carolina. On 30 March 2026, Tucker’s license to practice was suspended pending the disposition of all disciplinary proceedings against Tucker related to his conviction of criminal offenses.

Completed Motions to Show Cause

No motions to show cause were heard by the DHC this quarter.

Completed Grievance Noncompliance Actions before the DHC

Brian Wallace Sharpe – 26 DHC 2N

The DHC entered an Order to Show Cause against Sharpe, of Marshall, for failure to comply with grievance investigations. During the hour before the scheduled show

cause hearing on 20 April 2026, Sharpe provided his response to the underlying grievance. Accordingly, the OOC will withdraw the petition.

Completed Discipline and Disability Proceedings in the Courts

State Bar v. Joel Grim Bowden, 26CV013396-910 (Wake County Superior Court) – Bowden, of Greensboro, tendered an Affidavit of Surrender to the court and consented to disbarment. Bowden’s affidavit stipulated that he provided improper financial assistance to clients, failed to promptly deliver entrusted funds to a client, failed to perform proper accountings of his trust account, engaged in sexual communications with clients, knowingly made false statements to a tribunal, failed to properly supervise the conduct of the nonlawyer staff in his firm, paid clients a fee for recommending his services, and knowingly made false statements to the North Carolina State Bar in connection with a disciplinary matter. The court entered the Consent Order of Disbarment on 17 April 2026.

Preliminary Injunctions

Thomas K. Lindgren, of Raleigh, was enjoined from handling entrusted funds by Consent Order of Preliminary Injunction entered by the Wake County Superior Court on 9 March 2026.

Orders of Reciprocal Discipline

J. Ronald Denman, of Florida, was suspended from the practice of law for sixty (60) days for violations of Rule 1.5(a), 1.7, 3.1, and 8.4(a) and (d) of the North Carolina Rules of Professional Conduct in an order of reciprocal discipline entered by the Chair of the Grievance Committee on 14 April 2026.

Transfers to Disability Inactive Status

W. Travis Barkley, of Raleigh, was transferred to disability inactive status by consent order entered by the Chair of the Grievance Committee on 14 April 2026.

Completed Surrenders to the Council

Tara Nichols – 26 BCS 1

Nichols, of Durham, embezzled client funds and engaged in various misconduct concerning the trust accounting rules including failure to reconcile, failure to keep accurate client ledgers, improper disbursements, and failure to produce records to the State Bar timely or in full. Nichols signed an Affidavit of Surrender and on 23 January 2026 the State Bar Council accepted the surrender and entered an Order of Disbarment.

PENDING DISCIPLINE AND DISABILITY PROCEEDINGS

Pending in the Courts

In re Dant – 24SP001304 (Alamance County Superior Court) – Dant, of Colfax, is alleged to have exhibited professional incompetence, filed frivolous pleadings, violated rules and orders of the tribunal, and engaged in conduct prejudicial to the administration of justice across multiple cases. The court appointed the OOC to investigate and prosecute the case. The court also appointed counsel for Dant due to disability allegations. The parties had a status conference in February 2026 to discuss the possibility of staying this matter until such time as Dant is no longer enjoined from the practice of law. The court did not enter a formal order staying the proceedings but indicated the matter is “effectively stayed.”

In re Mark Key – (4th Circuit Court of Appeals) – Key, of Lillington, was suspended by the DHC. He objected to the imposition of reciprocal discipline in the Fourth Circuit and the Court asked the Counsel to prosecute the reciprocal discipline proceeding. Oral argument took place on 28 January 2026. The 4th Circuit has not yet entered an order.

In re Anthony Ryan Morrow, 26CV427-800 (Rutherford County Superior Court) – Morrow, of Rutherfordton, was ordered by the court to appear and show cause why he should not be transferred to disability inactive status. The Office of Counsel was appointed to prosecute the case. Hearing is set for 22 June 2026.

Pending in the DHC

Brian R. Harwell – 22 DHC 3

Harwell, of Mooresville, pled guilty in Iredell County Superior Court to felony possession of methamphetamine, misdemeanor harboring a fugitive, and misdemeanor resisting a public officer. It is alleged that Harwell also made one or more false statements to police officers regarding a client’s whereabouts when the officers came to Harwell’s home to serve a warrant for the client’s arrest. Based on the criminal convictions, the DHC placed Harwell on interim suspension. The disciplinary complaint has not yet been filed.

Harry C. Marsh – 23 DHC 4

It is alleged that Marsh, of Matthews, engaged in misconduct in many real estate matters, including: Recording a document that falsely appeared to create an encumbrance on title, knowing his client would use that document to extract payment from the owner to release the purported encumbrance; misappropriating entrusted funds provided by an investor for the benefit of the buyer/borrower and without the investor’s knowledge or consent; intentionally failing to record a deed of trust and then closing a subsequent sale of the same property without paying off the debt that should have been secured by the unrecorded deed of trust; preparing multiple HUD-1 Settlement Statements providing different information to different recipients to induce the Bankruptcy Court to approve a debtor’s sale of property by

misrepresenting the nature of the transaction; not complying with the Bankruptcy Court's directive regarding disbursement of closing funds; making misrepresentations to the Grievance Committee; not timely responding to the Grievance Committee; several trust accounting violations; and engaging in a conflict of interest. He is enjoined from handling entrusted funds. Hearing has been continued and has not yet been rescheduled.

Hayes Hofler – 24 DHC 5

It is alleged that Hofler, of Hillsborough, filed frivolous motions, made inflammatory unfounded accusations, and prolonged proceedings by repeatedly filing interlocutory appeals and seeking to recuse judges. It was alleged in the alternative that Hofler is disabled. The State Bar filed a motion for sanctions based on Hofler's failure to respond to discovery requests. Hofler's time to submit to a neuropsychological evaluation ordered by the DHC expired in September 2025 and the State Bar sought additional sanctions for his refusal to be evaluated. On 8 April 2026, the DHC entered an order granting the State Bar's motion for sanctions that included entry of default judgment against Hofler on the alleged conduct set forth in the complaint. The Phase II (dispositional) hearing has not yet been scheduled.

Brian Walker – 24 DHC 7

It is alleged that Walker, of Wilmington, neglected and failed to communicate with a client, resulting in entry of default judgment against his client. It is also alleged that Walker failed to appear in court on the day of another client's felony trial, resulting in Walker's conviction for criminal contempt of court. Hearing has not been scheduled.

Patrick Megaro – 24 DHC 13

It is alleged that Megaro, who is currently suspended, filed a frivolous complaint to collect legal fees from two mentally disabled former clients and their guardians. The DHC proceedings were stayed while his co-defendant pursued an appeal, but the stay was lifted and a revised scheduling order was entered in November 2025. Hearing has not been scheduled.

Lee Bettis Jr. – 24 DHC 21

It is alleged that Bettis, of New Bern, made several false statements to the State Bar during a grievance investigation. The case is stayed to allow for investigation of other potential misconduct.

Timothy Lyons – 25 DHC 8

Lyons, of Cary, pleaded guilty to one count of secret peeping using an electronic device. It is alleged that the conduct underlying his conviction is a criminal offense reflecting adversely on his trustworthiness or fitness as a lawyer. Hearing has not been scheduled.

David Ahmadi – 25 DHC 15

Ahmadi, of Raleigh, pled guilty to misdemeanor breaking and entering, stalking, and two counts of DVPO violation. It is also alleged that Ahmadi failed to adequately

communicate with a client, disclosed confidential information, and engaged in conduct prejudicial to the administration of justice. The parties are negotiating a potential consent order. Hearing has not been scheduled.

Tyler Brown Kline – 26 DHC 1

It is alleged that Kline, of Winston-Salem, engaged in sexual intercourse with six different clients and sexual communication with two of the six clients. The parties have submitted a consent order for consideration by the Disciplinary Hearing Panel. Hearing has not been scheduled.

Moses V. Brown – 26 DHC 6

It is alleged that Brown, of Rocky Mount, made a demonstrably false allegation in a grievance he filed with the State Bar. It is also alleged that Brown failed to regularly communicate, consult with, and explain matters with clients, filed an appeal without consulting with his clients, failed to timely file a record on appeal, made misrepresentations to the Court of Appeals, failed to act with reasonable diligence, and failed to take steps to protect his clients' interests. Hearing has not been scheduled.

Tamesha N. Larbi – 26 DHC 8

It is alleged that Larbi, of Bowie, Maryland, failed to properly communicate with clients, neglected a client matter which resulted in her receiving a 6-month active suspension from the US Court of Appeals for Veterans Claims, and failed to turn over client documents after the termination of the attorney-client relationship. Hearing has not been scheduled.

Pending Petitions for Reinstatement/Stay - Uncontested

No uncontested petitions for reinstatement or stay of suspension are currently pending.

Pending Petitions for Reinstatement/Stay – Contested

No contested petitions for reinstatement or stay of suspension are currently pending

Pending Motions to Show Cause

No motions to show cause are currently pending.

Pending Surrenders to the Council

Julie A. Parker, of Emerald Isle, submitted an affidavit of surrender of her law license for consideration by the Council at the April 2026 meeting.

Pending Grievance Noncompliance Actions before the DHC

Guy Cousins – 26 DHC 5N

The DHC entered an Order to Show Cause against Cousins, of Charlotte, on 6 April 2026 for failure to comply with grievance investigations. Hearing has not yet been scheduled.

Raeneice V. Taltoan Reed - 26 DHC 7N

The DHC entered an Order to Show Cause against Taltoan-Reed, of Charlotte, on 13 April 2026 for failure to comply with grievance investigations. Hearing has not yet been scheduled.

APPEALS IN DISCIPLINE & DISABILITY CASES

Completed Appeals

Mark A. Key – 21 DHC 23

The DHC concluded that Key, of Lillington, chronically failed to comply with the law regarding personal and business taxes, engaged in felony mortgage fraud, disclosed client confidences, mismanaged his trust account, was disruptive during a Superior Court trial, made misrepresentations to an employee and knowingly underreported her wages to the IRS, and made misrepresentations to the Grievance Committee. The DHC suspended Key, who has a 20-year history of professional discipline, for five years with a possible stay after three years upon compliance with various conditions. The parties cross-appealed the DHC's decision. The Court of Appeals issued an opinion affirming essentially all facts and conclusions in the Order of Discipline but holding that the DHC erred by failing to consider Key's commission of multiple felonies and Key's "bad faith obstruction of the disciplinary proceedings," which are among the factors that must be considered in determining the appropriate discipline. The Court of Appeals vacated the portion of the Order of Discipline suspending Key's license and remanded for further proceedings consistent with its opinion.

Following a November 2024 remand hearing, the DHC imposed the same five-year suspension with a possible stay after three years upon compliance with various conditions. The State Bar again appealed the DHC's decision, contending the DHC abused its discretion by imposing a sanction against Key's license to practice law that is not reasonably related to the protection of the public and inadequate to protect the public, the profession, and the administration of justice. In an opinion filed 18 February 2026, the Court of Appeals affirmed the DHC's order, stating "We disagree with the DHC's decision not to disbar Defendant and invite the Supreme Court's review, but we cannot say that the DHC's evaluation of those factors was manifestly unsupported by reason or so arbitrary that it could not have been the result of a reasoned decision." In his concurring opinion, Judge Murray said "I struggle to comprehend how [the DHC's] allowance of a lifeline back into the State Bar and the practice of law does not contradict our profession's aspiration to self-regulation."

Richard E. Batts – 24 DHC 1

Batts, of Rocky Mount, failed to conduct required trust account reconciliations and reviews, failed to maintain accurate client ledgers, failed to deposit entrusted funds into his trust account, failed to promptly transfer entrusted funds received via PayPal to the trust account, failed to make transfers from PayPal to the trust account in a manner that identified the clients whose funds were being deposited and in what amounts, and improperly disbursed funds from the trust account. The DHC imposed a one-year stayed suspension. Batts filed post-trial motions which were denied by the DHC. Batts appealed the DHC's order. In an opinion filed 15 April 2026, the Court of Appeals affirmed the DHC's Order of Discipline.

Pending Appeals

Mark T. Cummings – 22 DHC 25

In April 2024, Cummings, of Greensboro, was suspended for five years by the DHC for failure to comply with employee tax withholding laws, several acts of dishonesty, deceit, fraud, or misrepresentation reflecting adversely on his fitness as a lawyer, and conduct prejudicial to the administration of justice. He filed Rule 59 and Rule 60 motions and a notice of appeal. The Court of Appeals ordered limited remand to allow the DHC to hear the post-trial motions. The DHC entered orders denying both post-trial motions and certified those orders to the Court of Appeals. Cummings filed notice of appeal from both orders and a petition for writ of supersedeas and a motion for temporary stay with the Court of Appeals. In September 2024, the Court of Appeals issued a writ of supersedeas staying the Order of Discipline. The parties have filed their opening briefs in the Court of Appeals. The Court of Appeals notified the parties it will decide the case without oral arguments.

R. Jonathan Charleston – 22DHC16

Charleston, of Fayetteville, engaged in improper *ex parte* communications with a Superior Court judge, failed to notify opposing counsel of his *ex parte* communications, and did not disclose material information to the court during those communications. Charleston filed notice of appeal from the DHC's order censuring him for that misconduct. The parties have filed their opening briefs in the Court of Appeals and Charleston has filed his reply brief.

David Payne – 25 BCR 2

Payne, of Zirconia, petitioned for reinstatement from his 2019 disbarment for making false statements to a bank to obtain a loan, resulting in a federal felony conviction. After an April 2025 hearing, the DHC entered an order recommending that the petition be denied. Before the DHC's written order was entered, Payne sought to voluntarily dismiss his petition. On the State Bar's motion, the DHC vacated the purported dismissal and entered its order recommending that reinstatement be denied. Payne filed notice of appeal to the North Carolina Court of Appeals from the DHC's orders vacating the dismissal and denying reinstatement. The parties have

filed their opening briefs in the Court of Appeals, and Payne filed a reply brief. The Court of Appeals notified the parties it will decide the case without oral arguments.

TRUST ACCOUNT COMPLIANCE DEPARTMENT

One hundred eighty-eight lawyers have completed the TAC Program since its inception. No lawyers were referred to the TAC Program after the January 2026 quarterly meeting. Currently, there are 50 participants in the program.

AUTHORIZED PRACTICE

The Authorized Practice Committee opened 37 new files this quarter. There are 15 files on the Committee's January agenda.

Completed Authorized Practice Litigation

No Authorized Practice litigation was completed during the first quarter of 2026.

Pending Authorized Practice Litigation

N.C. State Bar v. Norka I. Villacres and Concilio Hispano Community Services LLC (Wake County Superior Court). The Executive Committee authorized counsel to file a lawsuit pursuant to N.C. Gen. Stat. § 84-37 to enjoin Norka I. Villacres' unauthorized practice of law. Villacres, who holds herself out as an immigration paralegal, filed applications for asylum and work authorization. She is not licensed to practice law and is not authorized to represent individuals in immigration proceedings pursuant to 8 C.F.R. § 1292.12. The State Bar filed the complaint on 23 February 2026. Villacres has until 1 May 2026 to file a responsive pleading

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 maintains 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. [Long story short, 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. McDaniel, who did not participate in the hearing on the temporary injunction, filed notice of appeal from that decision. 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. The appeal was not docketed due to McDaniel’s failure to serve a proposed record. 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 heard on 9 March 2026. The court announced its decision to hold McDaniel in contempt and fine her \$500. The written order has not yet been entered.

OTHER LITIGATION IN THE STATE AND FEDERAL COURTS

Pending Litigation

Taylor Dant v. North Carolina State Bar, et al (EDNC). On 28 January 2026, Dant filed a lawsuit alleging that State Bar Executive Director Peter Bolac, Counsel Carmen Bannon, and Deputy Counsels Kelley DeAngelus and Cameron Lee committed civil RICO violations, civil rights violations, other violations of federal law and seeking a declaratory judgment that N.C. Gen. Stat. Chapter 84 is unconstitutional. Dant seeks unspecified punitive damages and “other equitable relief.” She has not served any of the defendants.

Taylor Dant v. North Carolina State Bar, et al (4th Circuit). On 8 March 2026, Dant filed a petition for writ of mandamus enjoining the United States District Courts for the Eastern, Middle, and Western Districts of North Carolina from enforcing the preliminary injunction entered against her by the Wake County Superior Court. Dant identified State Bar Executive Director Peter Bolac, Counsel Carmen Bannon, and Deputy Counsels Kelley DeAngelus and Cameron Lee as defendants. She has not served any of the defendants. On 10 March, Dant sought a temporary stay of the Wake County injunction while the 4th Circuit considers her petition. Under 4th Circuit rules, no response is required unless requested by the Court. The Court has not requested a response.

Richard Polidi² v. Moore Van Allen PLLC, et al (Wake County Superior Court). In 2020, disbarred lawyer Richard Polidi filed a complaint alleging that

² Polidi has filed many lawsuits against State Bar actors related to his 2014 disbarment:

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. The defendants all filed motions to dismiss, which were granted by the court on 9 February 2026. Polidi filed a Notice of Appeal on 10 March 2026. The Office of Counsel, on behalf of Bannon, filed a Motion for Sanctions which was heard on 2 April 2026, along with a variety of motions filed by Polidi. The court has not yet announced its ruling.

N.C. State Bar v. Richard Polidi (Wake County Superior Court). On 2 January 2014, a Consent Order of Preliminary Injunction was entered in *State Bar v. Polidi*, 14-CVS-122. On 22 July 2014, the court entered a Consent Order of Disbarment in *State Bar v. Polidi*, 14-CVS-9738. Nearly twelve years later, in March 2026, Polidi filed a Motion to Compel Discovery in 14-CVS-122 and Motions to Set Aside Orders in 14-CVS-122 and 14-CVS-9738. In response, the State Bar filed Motions for Sanctions in both cases. Polidi subsequently filed a Motion in the Cause in both cases. Included in Polidi’s calendar request for his Motion in the Cause was a request that the court also hear two motions he had filed six years earlier: A motion to “Require Petitioner to Comply with its Statutory Responsibilities” and a motion to “Disqualify any Counsel Possessing an Apparent or Actual Conflict.” The Court set all parties’ motions for hearing on 2 April 2026. Following the hearing, at Judge Houston’s request, both parties submitted separate proposed orders for the court’s review. The court has not yet announced its ruling.

Hankins v. Wells Fargo et al (U.S. District Court, EDNC; 4th Circuit Court of Appeals, 26-1154). On 13 December 2024, a former grievance complainant filed a complaint containing wide-ranging, vague, and unintelligible allegations of

In *Polidi v. Willoughby et al* (17 CVS 8932), former President Colon Willoughby, former Counsel Katherine Jean, and the State Bar were named as defendants but never served. E-Courts reflects that the case was involuntarily dismissed by the Wake County Superior Court in 2019, although Polidi has continued to issue A&P summonses to all twenty-seven named defendants, most recently on 30 March 2026.

In *Polidi v. Bannon et al*, (17 CVS 15314), Counsel Carmen Bannon and Investigator Wayne Truax were named as defendants but never served. E-Courts reflects that the case was discontinued in 2022.

In *Polidi v. Boente et al*, (EDNC/4th Circuit) filed in 2022 and finally dismissed in 2025, former Deputy Counsel Margaret Cloutier and immediate past President Todd Brown were named as defendants.

Polidi v. Walthall et al (23 CVS 30956), which named former Deputy Counsel Josh Walthall, former Counsel Katherine Jean, former Deputy Counsel Margaret Cloutier, immediate past President Todd Brown, and the State Bar as defendants, was filed in 2023 and is still pending in Wake County Superior Court. None of the defendants have been served. The action has been discontinued due to Polidi’s failure to serve process or keep the summonses alive. On April 2, the court announced that the case would be administratively closed.

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. On 5 January 2026, Chief Judge Richard Myers adopted in full the rationale and conclusions of the M&R, granted the defendants' motions to dismiss, and closed the case. Hankins filed a motion for reconsideration which was denied on 12 February 2026. Hankins also filed notice of appeal on 30 January 2026 and filed an informal opening brief on 12 March 2026. After filing the brief, Hankins filed six motions in the 4th Circuit. None of the defendants have responded to the 4th Circuit filings, relying on the Court to ascertain that they lack merit.

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 A. 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). After issuing its 31 March 2026 opinion in *Chiles v. Salazar*, No. 24-539, the Court denied the petition for certiorari in *360 Virtual Drone* on 20 April 2026. Accordingly, the *Polaski* appeal will likely return to active status during the upcoming quarter.

Completed Litigation

Jennifer Gauze v. N.C. State Bar (Alamance County Superior Court). On 23 June 2025, Gauze filed a “Petition for Writ of Mandamus” seeking 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 by certified mail, but no complaint or summons was filed or served. The court dismissed the complaint with prejudice on 18 February 2026.

Alexandra Fishman v. North Carolina State Bar (North Carolina Court of Appeals). Fishman filed a grievance against a licensee. On 9 February 2026, she filed a petition for writ of mandamus at the North Carolina Court of Appeals seeking to compel the State Bar to “immediately initiate an emergency suspension hearing” against the licensee. She alleged but provided no evidence that she is the victim of a crime committed by the licensee’s client, that the licensee and his client are trying to intimidate her from testifying against the client, that the licensee is “stalking” her to obtain service of process, and that the State Bar is required to suspend his license to disable him from engaging in allegedly criminal actions. She also asked the Court of Appeals to dismiss and to exercise other “supervisory control” over the Chatham County Superior Court in litigation the licensee filed on behalf of his client. The State Bar filed its response to the petition for writ of mandamus on 19 February 2026. Fishman filed five “emergency motions” to supplement her petition. On 27 March, the Court granted all the motions to supplement the petition and denied the petition. The Office of Counsel represented the State Bar.

OTHER MATTERS

Disbursement Cases

The Office of Counsel did not file any motions for disbursement on behalf of the Disbursements Committee this quarter.

Trusteeships

During the first quarter of 2026, the OOC filed four petitions seeking appointment of trustees to wind down the practices of **Richard Brian Schultz** of Gastonia, **Larry Allison Manning** of Nashville, **Gilbert Wilson Chichester** of Roanoke Rapids, and **Jeffrey William Porter** of Wilmington.

Client Security Fund Claims/Subrogation Cases

The Client Security Fund Board held its quarterly meeting on 20 January 2026. The Board granted and paid 10 claims and denied 10 claims. The Board will consider 12 claims at its April meeting. There are currently no lawsuits pending in Superior Court seeking reimbursement for payments made by the CSF.

PERSONNEL

Chris Woods, who previously served as an Investigative Analyst, assumed the role of Trust Account Compliance Specialist in February. In that role, Chris will primarily provide education and supervision to TACP participants.

Alec oversees all wire fraud grievances received by the OOC. Alec also proctored the February 2026 Bar Examination.

OOO LAWYERS' OTHER ACTIVITIES

Alex supervises the OOC's grievance operations and oversees the Grievance Intake Unit's screening of incoming grievance complaints. As Grievance Supervisor, he assigns files and monitors Deputy Counsels' grievance caseloads and backlogs. Alex spearheaded many of the process improvement initiatives related to grievance intake and continues to standardize and improve grievance processing within the office. Alex regularly helps his colleagues navigate technological challenges, is the point of contact with the software developers for the OOC's database, and helps oversee administration of our legal research and investigative software.

Cameron is currently serving a tour of duty in the Intake Unit, where he has been remarkably efficient and productive in screening the deluge of incoming complaints.

Carmen is an Associate Adjunct Professor of professional responsibility at UNC Law: Although she now teaches only two semesters per year instead of three, her students' energy and idealism remains therapeutic. Carmen gave two presentations at the National Organization of Bar Counsel's mid-year meeting in February.

Danielle coordinates and shares responsibility with Rob and Kathryn for the State's Bar's appellate work. She also serves as counsel to the Client Security Fund.

Jennifer volunteers as a judge with the Capital Area Teen Court program in Raleigh and Holly Springs, which serves the dual purposes of providing the opportunity for teens charged with minor offenses to have the charges dismissed upon successful completion of the program and providing teens interested in the law with the opportunity to serve as youth attorneys in Teen Court hearings. Jennifer also serves as a judge for collegiate mock trial competitions. Jennifer, assisted greatly by Litigation Manager Brittany Wilson, tracks trust account-related cases and updates the disposition charts annually.

Jessica taught an ethics presentation with Kelley at UNC's School of Government's New Felony Defender School in February.

Katherine shares responsibility with Ryan for appointment and supervision of trustees, oversees reports of third-party fraud against trust accounts, and reviews Reports of Counsel and Substances of Grievance prepared by new Deputy Counsels.

Kathryn shares responsibility with Rob and Danielle for the State Bar's appellate work and teaches CLEs on ethics and the grievance process.

Kelley serves as the OOC's liaison to the judiciary and regularly teaches CLEs on ethics and the grievance process. In February she and Jessica presented an ethics presentation at UNC's School of Government's New Felony Defender School. When not fielding calls from judges or working on her grievance matters, she plays French Horn for a local community band and recently joined a local woodwind quintet that performs for community groups and assisted living homes

Michael has begun assisting Alec with wire fraud grievances.

Rob handles disbursements from the trust accounts of disbarred and suspended lawyers. He recruits and supervises our summer interns. He also handles outside litigation and shares responsibility for the State Bar's appellate work with Kathryn and Danielle.

Ryan works with the Grievance Intake Unit to screen the ever-increasing grievance filings. Ryan shares responsibility with Katherine for the appointment and supervision of trustees for unavailable attorneys. In March she taught a CLE on the grievance process at a School of Government conference for municipal attorneys.

Tessa staffs the Authorized Practice Committee.