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STATE OF NORTH CAROLINA
WAKE COUNTY

BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
88 BCS 6

IN THE MATTER OF THE TENDER)
OF SURRENDER OF LICENSE OF)
TIMOTHY E. OATES)

ORDER OF DISCIPLINE

THIS MATTER was heard by the Council of the North Carolina State Bar pursuant to Rule 17 of Article IX of the Discipline and Disbarment Procedures of the North Carolina State Bar on Friday, October 28, 1988, upon the surrender of the license to practice law of Timothy E. Oates. Pursuant to Rule 17(1) of Article IX of the Discipline and Disbarment Procedures, Timothy E. Oates delivered to the Council an affidavit dated October 28, 1988 stating his desire to resign his license to practice law. Based upon the affidavit of Timothy E. Oates and the record, the Council makes the following FINDINGS:

(1) On September 29, 1988, Timothy E. Oates pled guilty to three felony charges in the United States District Court for the Middle District of North Carolina, including conspiracy to defraud the Internal Revenue Service, use of a telephone to facilitate a conspiracy to distribute cocaine and obstruction of justice.

(2) In his affidavit, Timothy E. Oates states that he is in fact guilty of the charges to which he pled guilty in federal court.

BASED UPON the foregoing FINDINGS, the Council makes the following CONCLUSIONS:

(1) The affidavit of tender of surrender of Timothy E. Oates should be accepted.

(2) Oates' conduct, as set out in his affidavit, is grounds for discipline pursuant to N.C. Gen. Stat. Section 84-28(b)(1) in that Oates has pled guilty to criminal offenses showing professional unfitness; and pursuant to N.C. Gen. Stat. Section 84-28(b)(2) in that Oates violated Rule 1.2(B), 1.2(C) and 1.2(D).

THEREFORE, upon Motion duly made and seconded, the Council ORDERS that:

- (1) The tender of surrender of the license of Timothy E. Oates is hereby accepted.
- (2) Timothy E. Oates is hereby DISBARRED.
- (3) The costs of this proceeding as assessed by the Secretary are

taxed to Timothy E. Oates.

This the 28 day of October, 1988.

Robert G. Baynes

Robert G. Baynes, President
The North Carolina State Bar