

NOTE: THIS LINK RELATES ONLY TO **HENRY V.**
(“VAN”) BARNETTE, III OF RALEIGH. THIS
LINK DOES **NOT** RELATE TO HENRY V.BARNETTE,
JR. OF RALEIGH.

WAKE COUNTY

FILED

IN THE GENERAL COURTS OF JUSTICE
SUPERIOR COURT DIVISION

NORTH CAROLINA

2013 AUG 23 AM 10:05

13 CVS _____

 WAKE CO., C.S.C.
 BY
 THE NORTH CAROLINA STATE BAR,)
 PETITIONER,)

v.)

) CONSENT ORDER OF
) DISBARMENT
)HENRY V. ("VAN") BARNETTE III,)
ATTORNEY, RESPONDENT)

THIS MATTER came before the undersigned Judge of the Superior Court of Wake County. Petitioner, the North Carolina State Bar, was represented by Carmen Hoyme Bannon. Respondent, Henry V. Barnette III (hereafter "Van Barnette" or "Barnette"), was represented by Alan M. Schneider.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Respondent, Van Barnette, and the consent of the parties, the Court makes the following:

FINDINGS OF FACT

1. Barnette was admitted to the North Carolina State Bar in 1997 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations, and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

2. During the periods relevant hereto, Barnette was engaged in the practice of law in Raleigh, North Carolina.

3. In September through December 2012, Barnette falsely reported to his law firm billable time for legal services he did not perform. The false entries, which occurred in at least fifteen different client matters, amounted to approximately \$10,000.00 in billable hours, some of which was collected from Barnette's clients.

Based upon the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

1. By billing clients for services he did not perform, Barnette intentionally prejudiced his clients during the course of the professional relationship in violation of Rule 8.4(g) of the Rules of Professional Conduct and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation in violation of Rule 8.4(c) of the Rules of Professional Conduct.

2. Barnette's misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2).

3. The courts of this State have inherent authority to take disciplinary action against attorneys licensed to practice law in North Carolina.

4. This Court has jurisdiction over the person of Van Barnette and of the subject matter of this proceeding.

5. Barnette has engaged in professional misconduct warranting disbarment.

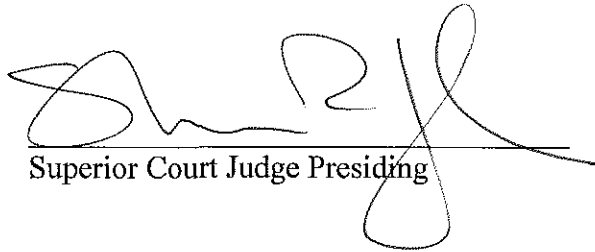
IT IS NOW, THEREFORE, ORDERED:

1. Henry V. ("Van") Barnette III is DISBARRED from the practice of law in North Carolina.

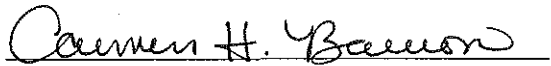
2. Barnette shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0124 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0124. Barnette shall have thirty (30) days from the date of the entry of this order to complete the requirements of § .0124.

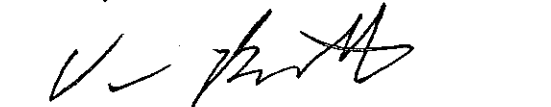
3. The costs of this action are taxed against Barnette.

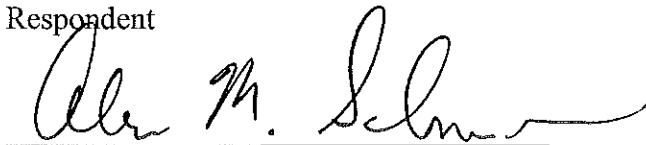
Dated this 23 day of August, 2013.


Superior Court Judge Presiding

CONSENTED TO:


Carmen Hoyme Bannon
Deputy Counsel, North Carolina State Bar
Attorney for Petitioner


Henry V. ("Van") Barnette III
Respondent


Alan M. Schneider
Attorney for Respondent

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THE NORTH CAROLINA STATE BAR, CO., C.P.C.
PETITIONER, BY _____)

v.)

HENRY V. ("VAN") BARNETTE III,
ATTORNEY, RESPONDENT.)

AFFIDAVIT OF SURRENDER

HENRY V. ("VAN") BARNETTE III, being first duly sworn, deposes and says as follows:

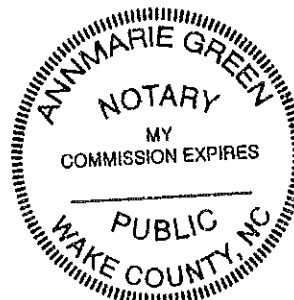
1. I desire to resign and hereby tender my license to practice law in North Carolina.
2. My resignation is freely and voluntarily rendered, and is not the result of coercion or duress. I am fully aware of the implications of submitting my resignation.
3. I am aware that there is a pending investigation by the State Bar regarding allegations that in connection with at least fifteen cases I falsely reported to my law firm billable time for legal services I did not perform. The false entries amounted to approximately \$10,000.00 in billable hours, some of which was collected from my clients.
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

This is the 20th day of August, 2013.

[Signature]
Henry V. ("Van") Barnette III

I, AnnMarie Green, Notary Public of the County of Wake, State of North Carolina, certify that Henry V. ("Van") Barnette III 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 20 day of August, 2013.
[Signature]
Notary Public



My commission expires: 2/10/16