

WAKE COUNTY
NORTH CAROLINA

IN THE GENERAL COURTS OF JUSTICE
SUPERIOR COURT DIVISION
10 CVS 6844

THE NORTH CAROLINA STATE BAR,
PETITIONER,

v.

PAUL F. HUFFMAN, ATTORNEY,
RESPONDENT.

CONSENT ORDER OF
DISBARMENT

BY

WAKE COUNTY, C.S.C.

2010 MAY 20 AM 9:56

FILED

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, Paul F. Huffman, was represented by Alan M. Schneider.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Respondent, Paul F. Huffman and the consent of the parties, the Court makes the following:

FINDINGS OF FACT

1. Huffman 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, Huffman was engaged in the practice of law in Boone, North Carolina.

3. Huffman utilized at least \$5,100.00, held by him in trust, for his own benefit without authorization from the beneficial owners of the funds.

4. Huffman thereby misappropriated entrusted funds in the amount of at least \$5,100.00.

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

CONCLUSIONS OF LAW

1. By misappropriating client funds from his trust account, Huffman used entrusted funds for his personal benefit in violation of Rule 1.15-2(j) 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. Huffman'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 Paul F. Huffman and of the subject matter of this proceeding.

5. Huffman has engaged in professional misconduct warranting disbarment.

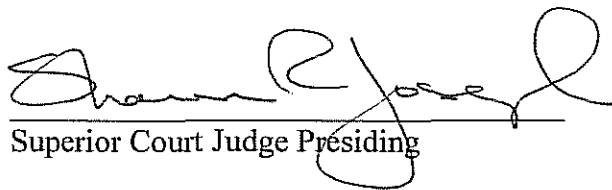
IT IS NOW, THEREFORE, **ORDERED**:

1. Paul F. Huffman is DISBARRED from the practice of law in North Carolina.

2. Huffman 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. Huffman 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 Huffman.

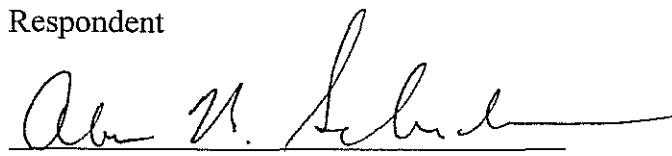
Dated this 20 day of May, 2010.


Superior Court Judge Presiding

CONSENTED TO:


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


Paul F. Huffman
Respondent


Alan M. Schneider
Attorney for Respondent

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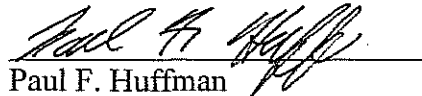
PAUL F. HUFFMAN, ATTORNEY,
RESPONDENT.

AFFIDAVIT OF SURRENDER

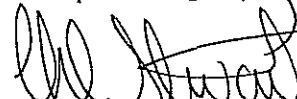
PAUL F. HUFFMAN, being first duly sworn, deposes and says as follows:

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 I misappropriated at least \$5,100.00 from my attorney trust account that had been entrusted to me in a fiduciary capacity and utilized those funds for my own benefit without authorization from the beneficial owners of the funds.
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 17th day of May, 2010.


Paul F. Huffman

Sworn to and subscribed before me,
this the 17 day of May, 2008.


Notary Public Chloe Stewart

My commission expires: Feb. 19, 2010

