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WAKE COUNTY  
NORTH CAROLINA  
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WAKE COUNTY, C.S.C.

IN THE GENERAL COURTS OF JUSTICE  
SUPERIOR COURT DIVISION  
05 CVS 6370

BY \_\_\_\_\_

THE NORTH CAROLINA STATE BAR  
PETITIONER

v.

DEBORAH G. CHURCH, ATTORNEY  
RESPONDENT

CONSENT ORDER OF  
DISBARMENT

THIS MATTER came on to be heard and was heard by the undersigned Resident Superior Judge of Superior Court of Wake County on motion of the North Carolina State Bar. Petitioner, the North Carolina State Bar was represented by Carolin Bakewell. The respondent, Deborah G. Church, was represented by Roger Smith. Based upon the pleadings herein and the consent of the parties, the Court makes the following:

FINDINGS OF FACT

1. Respondent, Deborah Church ("Church"), was licensed to practice law in North Carolina in 1993.
2. As of the date of this petition, Church's last known address of record on file with the North Carolina State Bar is PO Box 1274, Mooresville, N.C. 28115.
4. On May 9, 2005, on motion of the N.C. State Bar and with the consent of the parties hereto, this Court entered an order enjoining Church from handling client funds.
5. Church knowingly misappropriated funds belonging to a client named Willis Hobbs and used the funds for her own benefit or that of third parties without Hobbs' knowledge or consent.
6. By court order initially entered on May 8, 2005 and thereafter replaced by an amended order entered on May 27, 2005, David Parker was appointed as trustee of Church's law practice pursuant to Section .0122 of the Discipline & Disability Rules of the North Carolina State Bar, to protect the interests of Church's clients and former clients.

7. Church surrendered her license to practice law to the North Carolina State Bar on May 26, 2005 by an affidavit of surrender dated May 25, 2005 and she has not engaged in the practice of law since that time.

8. Church further agrees to renounce all gifts and bequests made to her pursuant to Willis Hobbs' will.

9. Church further agrees to renounce her position as guardian and power of attorney for any and all individuals other than immediate family members no later than 15 days from the date of this order.

10. The parties agree that \$31,700 has been paid by Church to her attorney, Roger Smith, in trust, and that this sum should be retained by Mr. Smith until further orders of this Court or the Senior Resident Judge of the 22<sup>nd</sup> Judicial District.

Based upon the foregoing findings of fact and the consent of the parties, the Court makes the following:

#### CONCLUSIONS OF LAW

1. The Court has jurisdiction over the subject matter of this proceeding by virtue of its inherent authority to control the conduct attorneys licensed in this State.
2. The Court has jurisdiction over the person of the respondent, Deborah G. Church and Church had proper notice of this hearing.
3. By misappropriating funds belonging to Willis Hobbs for her own use and benefit or the benefit of third parties without her client's consent or knowledge, Church engaged in criminal conduct in violation of Rule 8.4(b) and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule 8.4(c) of the Revised Rules of Professional Conduct.
4. Church has engaged in professional conduct warranting disbarment.

#### THEREFORE IT IS HEREBY ORDERED:

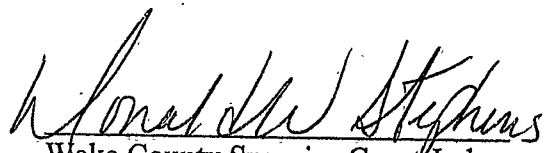
1. Deborah G. Church is hereby is **DISBARRED** from the practice of law in North Carolina. The disbarment is effective immediately and there shall be no wind down period.
2. Church shall comply with the provisions of 27 NCAC 1B .0124 of the State Bar Discipline & Disbarment Rules.
3. Church shall not petition for reinstatement of her law license until the expiration of at least 5 years from the date of this order.

4. Church's law license shall not be reinstated unless and until she has fully complied with all of the provisions of 27 NCAC 1B .0125 of the State Bar Discipline & Disbarment Rules and the North Carolina State Bar Council orders such reinstatement.

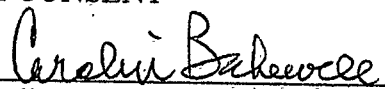
5. The \$31,700 now held in Mr. Smith's trust account shall be held in trust until further orders of this Court or the Senior Resident Judge of the 22d Judicial District.

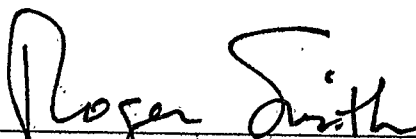
6. The Consent Order of Preliminary Injunction issued herein on May 9, 2005 shall remain in effect until further orders of this Court.


THIS the 1<sup>st</sup> day of July, 2005.

  
Wake County Superior Court Judge

WE CONSENT

  
Carolin Bakewell  
Attorney for the Petitioner  
The North Carolina State Bar

  
Roger Smith  
Attorney for the Respondent  
Deborah Church

  
Deborah Church  
Respondent