



STATE OF NORTH CAROLINA

WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
25 DHC 3 N

THE NORTH CAROLINA STATE BAR,

Petitioner

v.

TABITHA ETHERIDGE, Attorney,

Respondent

ORDER OF
NONCOMPLIANCE SUSPENSION

THIS MATTER was considered by the undersigned Chair of the Disciplinary Hearing Commission upon the petition for an order to show cause for grievance noncompliance suspension filed by Petitioner, the North Carolina State Bar, pursuant to 27 N.C. Admin. Code 1B.0135. Respondent, Tabitha Etheridge, did not file a response.

Upon review of the petition and the documents attached thereto, including the supporting affidavit, the Chair finds by clear, cogent, and convincing evidence the following:

FINDINGS OF FACT

1. The State Bar is a state agency duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).
2. Respondent, Tabitha Etheridge, was licensed to practice law in North Carolina in 2014.
3. On 3 July 2024, the State Bar sent a Letter of Notice to Respondent, pursuant to 27 N.C. Admin. Code, Chapter 1, Subchapter B, Rule .0112(c) of the Discipline and Disability Rules of the North Carolina State Bar, in grievance file 24G0640 and required her to submit a written response within 15 days of the service of the letter. The State Bar sent Respondent an email asking if Respondent was willing to accept service of the Letter of Notice in this file by email.
4. On 8 July 2024, Respondent responded via email stating that she would accept service by email. The State Bar sent the Letter of Notice and an Acceptance of Service for Respondent's signature the same day. Respondent was asked to sign

and return the Acceptance of Service within three business days. On 22 July 2024, the State Bar sent an email to remind Respondent to sign and return the Acceptance of Service. The State Bar did not receive a signed Acceptance of Service or a response to the Letter of Notice from Respondent.

5. On 29 July 2024, the State Bar sent Respondent a letter regarding her failure to respond to the Letter of Notice and asked her to respond by 12 August 2024. This letter notified Respondent that failure to respond to the Letter of Notice may: 1) be found to constitute a violation of Rule 8.1 of the North Carolina Rules of Professional Conduct; 2) be grounds for discipline under N.C. Gen. Stat. §§84-28(b)(2) & (3); and 3) result in the suspension of her law license for noncompliance pursuant to 27 N.C. Admin Code 1B.0135. Respondent failed to respond.
6. On 14 August 2024, the State Bar sent a second letter to Respondent via United States Postal Service Return Receipt Certified Mail regarding her failure to respond to the Letter of Notice or the 29 July 2024 letter. Respondent was asked to respond by 23 August 2024. On 16 August 2024, the Post Office notified Respondent that a letter was available for pick up. On 21 August 2024, the Post Office reminded Respondent to pick up the letter before 30 August 2024. When Respondent did not pick up the letter by 30 August 2024, the Post Office returned it as “unclaimed” on 3 September 2024. The unclaimed letter was received in the State Bar office on 11 September 2024.
7. On 17 September 2024, the State Bar served Respondent with a second Letter of Notice packet for grievance file 24G0640 and a Letter of Notice packet for grievance file 24G1083, received by the State Bar on 12 August 2024. The Columbus County Sheriff’s Office personally served Respondent with these Letters of Notice on 18 August 2024 at 1:30 p.m. These letters gave Respondent another 15 days to respond. Respondent failed to respond.
8. Pursuant to the request of the State Bar, retired Superior Court Judge Allen Cobb, Sr., the North Carolina State Bar Councilor for the 6th Judicial District, emailed Respondent at the email address on file with the State Bar Membership Department on 14 November 2024 regarding the necessity of responding to the State Bar and encouraged her to do so. Respondent failed to respond.
9. On 14 January 2025, the State Bar sent an email to Respondent detailing the history of the State Bar’s attempts to obtain the responses to the two Letters of Notice sent for grievance files 24G0640 and 24G1083. The State Bar instructed Respondent to provide her “responses to grievance files 24G0640 and 24G1083, and all documentation requested therein, no later than 24 January 2025” and warned that her failure to comply would result in the State Bar seeking an order to suspend Respondent’s license to practice law for “failure to fully and timely comply with [her] obligations to provide information sought in the grievance process, per 27 N.C. Admin. Code 1B § .035.” Respondent failed to respond.

10. On 4 February 2025, the State Bar filed a petition with the Disciplinary Hearing Commission for noncompliance suspension. The petition set forth the efforts made by the State Bar to obtain Respondent's compliance with the State Bar's grievance investigation as its basis to seek the entry of an order directing Respondent to show cause why her license should not be suspended for failure to comply with the grievance process.
11. The petition was supported by the affidavit of State Bar paralegal Elizabeth Myers and other exhibits.
12. The Petition was served on Respondent by mailing a copy of the Petition to Respondent's address—P.O. Box 1307, Whiteville, N.C. 28472—which is the most recent address that Respondent provided to the State Bar, and that is known to the State Bar. The Petition was also mailed to another known address – 498 Crusoe Island Rd., Whiteville, N.C. 28472.
13. On 6 February 2025, the undersigned Chair of the Disciplinary Hearing Commission entered an Order directing Respondent to show cause within 14 days of service of the Order upon Respondent why her law license should not be suspended for failure to comply with the grievance process. The Order warned Respondent that failure to comply with the grievance process or respond to the Order may result in the suspension of her law license.
14. The Show Cause Order was mailed via US Mail on 6 February 2025 to Respondent at the last address the Respondent provided to the Membership Department of the State Bar which is P.O. Box 1307, Whiteville, N.C. 28472. The Order was returned as “Not Deliverable as Addressed, Unable to Forward.”
15. On 19 February 2025, the Show Cause Order was mailed via US Mail to Respondent at another address known to the State Bar: 498 Crusoe Island Rd., Whiteville, N.C. 28472.
16. Service upon Respondent was satisfied upon a mailing sent to Respondent on 19 February 2025, pursuant to 27 N.C. Admin. Code 1B.0135(d)(3).
17. Respondent did not respond to the Show Cause Order.
18. The State Bar met its burden of proof by establishing Respondent was noncompliant with the investigation of grievance files 24G0640 and 24G1083 pursuant to 27 N.C. Admin. Code 1B.0135(a). Respondent failed to meet her burden of establishing that the noncompliance was justified and did not offer evidence of other possible defenses as described in 27 N.C. Admin. Code 1B.0135(f)(2).

CONCLUSIONS OF LAW

1. All parties are properly before the Chair of the Disciplinary Hearing Commission, and the Disciplinary Hearing Commission has jurisdiction over Respondent, Tabitha Etheridge, and over the subject matter of this proceeding.
2. Respondent is noncompliant with the investigation of grievance files 24G0640 and 24G1083 as defined in 27 N.C. Admin. Code 1B.0135(a).
3. Respondent has not shown that there is good cause for her noncompliance.
4. Respondent's noncompliance is grounds for the suspension of her law license pursuant to 27 N.C. Admin. Code 1B.0135(e)(3) and (g).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Chair of the Disciplinary Hearing Commission enters the following:

1. Respondent, Tabitha Etheridge, is hereby suspended from the practice of law, effective thirty (30) days after this Order is served on her.
2. Respondent shall comply with all the wind-down provisions of 27 N.C. Admin. Code 1B.0128, as provided in 27 N.C. Admin. Code 1B.0135(h).
3. Any petition by Respondent to be reinstated to the practice of law shall be governed by 27 N.C. Admin. Code 1B.0135(i).

This the 18th day of March, 2025.

/s/ Stephanie N. Davis

Stephanie N. Davis, Chair
Disciplinary Hearing Commission