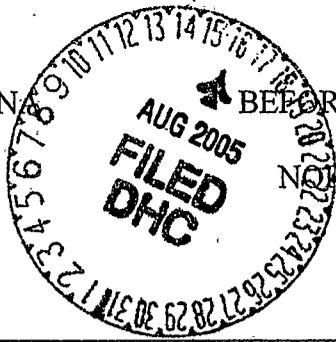


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NORTH CAROLINA  
WAKE COUNTY



BEFORE THE GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
05G 620

THE NORTH CAROLINA STATE BAR  
Petitioner

v.

CARY P. MOSELEY, ATTORNEY  
Respondent

ORDER OF RECIPROCAL  
DISCIPLINE PROCEEDING

THIS MATTER came on to be heard and was heard by the undersigned Chair of the Grievance Committee pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, §§ .0105(a)(12) and .0116(a) of the N.C. State Bar Discipline & Disability Rules. Based upon the record in this matter, by clear, cogent and convincing evidence, the undersigned makes the following FINDINGS OF FACT:

1. By order Feb. 4, 2005, a three judge panel assigned by the Supreme Court of Virginia entered an order suspending the license of Cary P. Moseley to practice law in Virginia for one year, effective March 1, 2005.
2. On July 5, 2005, the North Carolina State Bar's Notice of Reciprocal Discipline Proceeding was served upon Moseley by registered mail.
3. On July 26, 2005 Moseley responded to the N.C. State Bar's Notice of Reciprocal Discipline and indicated that he did not wish to oppose imposition of an order of reciprocal discipline.
4. Neither party hereto has shown cause that imposition of the identical discipline would be unwarranted.

BASED UPON THE FOREGOING FINDINGS the Chair of the Grievance Committee makes the following CONCLUSIONS OF LAW:

1. The North Carolina State Bar has jurisdiction over the subject matter of this proceeding and over the person of the respondent, Cary P. Moseley.

2. The procedure for imposition of reciprocal discipline pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0116(a) of the N.C. State Bar Discipline & Disability Rules has been complied with.

3. The Feb. 4, 2005 order found that Moseley knowingly made a false statement of fact and obstructed a lawful investigation by the Virginia State Bar into his conduct, in violation of the Rules of Professional Conduct.

4. The order suspending Moseley's law license for one year should be imposed on Moseley's right to practice law in the State of North Carolina.

THEREFORE IT IS HEREBY ORDERED THAT:


1. The law license of Cary P. Moseley is hereby SUSPENDED for a period of one year, commencing 30 days from service of this order upon Moseley.

2. Moseley shall forthwith surrender his North Carolina license certificate and membership card to the Secretary of the N.C. State Bar.

3. Moseley is hereby taxed with the costs of this proceeding as assessed by the Secretary.

4. Moseley shall comply with the wind down provisions of 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0124 of the N.C. State Bar Discipline & Disbarment Rules.

This the 7 day of August, 2005.

  
Henry C. Babb, Jr., Chair  
Grievance Committee