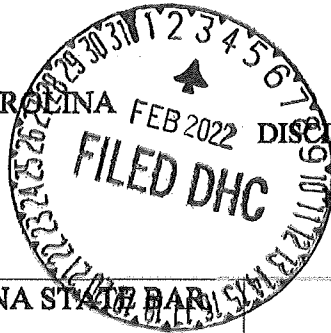


STATE OF NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
18 DHC 50

THE NORTH CAROLINA STATE BAR

Plaintiff

v.

H. TRADE ELKINS, Attorney,

Defendant

**ORDER OF
DISBARMENT**

This matter came before the undersigned Chair of The Disciplinary Hearing Commission pursuant to 27 N.C. Admin. Code 1B.0121(d) upon an affidavit of surrender of license executed by H. Trade Elkins on January 25, 2022 and filed in the offices of the North Carolina State Bar on February 1, 2022.

Based upon the pleadings and the record, the undersigned makes the following:

FINDINGS OF FACT

1. Plaintiff, the North Carolina State Bar (hereafter "State Bar"), is a body 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 promulgated thereunder.
2. Defendant, H. Trade Elkins ("Elkins" or "Defendant"), was admitted to the North Carolina State Bar in 2000, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.
3. On May 27, 2021, the North Carolina State Bar filed a Complaint against Defendant, alleging that he committed violations of the Rules of Professional Conduct. The State Bar's complaint is incorporated by reference herein.
4. The conduct set out in the State Bar's complaint constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(1) and (2).
5. Defendant has indicated his consent to disbarment by filing an affidavit of surrender with the Disciplinary Hearing Commission. The affidavit meets all requirements set forth in 27 N.C. Admin. Code 1B.0121(a)(1), (2), (3), (4) and (d).

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

CONCLUSIONS OF LAW

1. 27 N.C. Admin. Code 1B .0108(a)(6) provides that the Chairperson of the Disciplinary Hearing Commission has the power and duty to enter orders disbarring members by consent.

2. Defendant's affidavit meets all of the requirements set forth in 27 N.C. Admin. Code 1B .0121(a)(1), (2), (3), (4) and (d) and the facts upon which the affidavit is predicated warrant Defendant's disbarment.

3. Defendant has admitted that the material facts and allegations upon which the State Bar's complaint, incorporated herein by reference, is predicated are true. The Chair finds that the misconduct alleged in the complaint has been established.

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

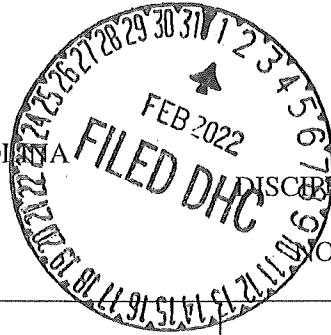
ORDER OF DISCIPLINE

1. The surrender of the license of Defendant, H. Trade Elkins, is hereby accepted.
2. Defendant is **DISBARRED** from the practice of law in North Carolina effective upon entry of this Order.
3. The administrative fees and costs of this action are taxed against Defendant.
4. Within ten days of the date of this Order, Defendant shall provide the State Bar with an address and telephone number at which clients seeking return of files can communicate with Defendant and obtain such files. Defendant shall promptly return all file materials to his clients upon request.
5. If Defendant fails to fully comply with 27 N.C. Admin. Code 1B.0128, he shall reimburse the State Bar for all expenditures made by the State Bar to protect the interests of Defendant's clients. Such expenditures may include, but are not limited to, storage facility fees, rent payments, moving expenses, charges for secure disposal of client files, postage or other mailing expenses, and compensation paid to a court-appointed trustee and/or the trustee's assistant for time and travel associated with the trusteeship. The State Bar shall send an invoice for such expenditures to Defendant at his last known address of record with the North Carolina State Bar upon entry of an Order discharging the trustee which Defendant shall pay within thirty days of the date the State Bar mailed the invoice.

This the 3 day of February, 2022.

A handwritten signature in cursive script, appearing to read "Donald C. Prentiss".

Donald C. Prentiss, Chair
Disciplinary Hearing Commission



STATE OF NORTH CAROLINA
WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
18 DHC 50

THE NORTH CAROLINA STATE BAR,
Plaintiff

v.

H. TRADE ELKINS, Attorney,
Defendant

**AFFIDAVIT OF SURRENDER
OF LAW LICENSE**

H. Trade Elkins, 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. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation and have had the opportunity to discuss the evidence against me and possible defenses with counsel.
3. I am aware that there is a pending complaint against me in the Disciplinary Hearing Commission alleging that I violated the Rules of Professional Conduct.
4. I acknowledge that the material facts upon which the pending complaint is predicated are true.
5. I am submitting my resignation because I know that I cannot successfully defend against these pending disciplinary charges.

Respectfully submitted, this the 25th day of January 2022.

H. Trade Elkins

I, Charity Justice, Notary Public of the County of Buncombe, State of North Carolina, certify that H. Trade Elkins 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 25 day of January, 2022.

Notary Public
(print name) Charity Justice

My commission expires: 06/08/2026

