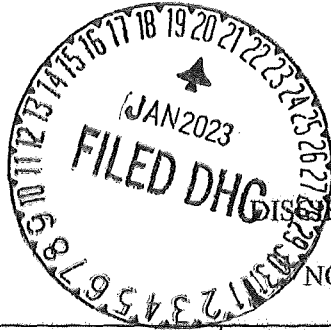


NORTH CAROLINA

WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
22 DHC 28

In re: REBECCA A. NELSON,
Attorney at Law

ORDER
OF
INTERIM SUSPENSION

THIS MATTER came before the undersigned Chair of the Disciplinary Hearing Commission pursuant to 27 N.C. Admin. Code 1B.0119(b) on the North Carolina State Bar's (hereinafter "State Bar") petition for an order suspending the law license of Rebecca A. Nelson (hereinafter "Nelson"), based upon her convictions of criminal offenses in Wake County, North Carolina, showing professional unfitness. Alex G. Nicely represented the State Bar. Nelson did not file a response to the State Bar's petition. Based upon the State Bar's Amended Petition for Order of Interim Suspension (hereinafter "Amended Petition") and the certified copies of the indictments and judgments in Nelson's criminal cases that were attached to the Amended Petition, the undersigned hereby makes the following:

FINDINGS OF FACT

1. Nelson was licensed to practice law in North Carolina on October 3, 2008, and is and was at all times referred to herein, an attorney at law licensed to practice law 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.
2. The current address of record for Nelson with the North Carolina State Bar is 9245 Miranda Drive, Raleigh, North Carolina 27617. According to the North Carolina Department of Public Safety website, Nelson is currently an inmate at the North Carolina Correctional Institution for Women, located at 1034 Bragg Street, Raleigh, North Carolina 27610.
3. Indictments were filed against Nelson in Wake County, North Carolina, Superior Court Division, in file numbers 20 CRS 202374-76, alleging one count of First-Degree Murder in violation of N.C. Gen. Stat. § 14-17 and two counts of Assault with a Deadly Weapon with Intent to Kill Inflicting Serious Injury in violation of N.C. Gen. Stat. § 14-32(a). Certified copies of the indictments were attached to the State Bar's Amended Petition and are incorporated herein.
4. On April 8, 2022, Nelson pled guilty to and was convicted of one count of Second-Degree Murder in violation of N.C. Gen. Stat. § 14-17(b) and two counts of Assault with a Deadly Weapon with Intent to Kill Inflicting Serious Injury in violation of N.C. Gen. Stat. § 14-32(a), in Wake County Superior Court file numbers 20 CRS 202374-76. On that same day, judgments were entered on each of Nelson's convictions. Certified copies of the judgments were attached to the State Bar's Amended Petition and are incorporated herein.

5. On November 17, 2022, the State Bar properly filed its Amended Petition with the clerk of the Disciplinary Hearing Commission.

6. On November 23, 2022, the Wake County Sheriff's Office personally served Nelson with the Amended Petition, including the copies of the indictments and judgments from Wake County Superior Court file numbers 20 CRS 202374-76 that were attached to the Amended Petition.

7. Nelson did not file a response to the Petition within the time set forth in 27 N.C. Admin. Code 1B.0119(b)(2).

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

CONCLUSIONS OF LAW

1. All parties are properly before the Chair of the Disciplinary Hearing Commission and the Chair has jurisdiction over Nelson and the subject matter of this proceeding.

2. 27 N.C. Admin. Code 1B.0119 authorizes the Chair of the Disciplinary Hearing Commission to enter an order suspending an attorney's law license on an interim basis upon receipt of a certified copy of a conviction or a certified copy of a judgment entered against an attorney where a plea of guilty has been accepted by a court for a criminal offense showing professional unfitness to practice law.

3. Pursuant to 27 N.C. Admin. Code 1B.0115(l)(4), any prehearing motion may be decided on the basis of the parties' written submissions.

4. The State Bar properly filed its Amended Petition with the clerk of the Disciplinary Hearing Commission and properly served its Amended Petition upon Nelson.

5. Nelson failed to timely file a response to the State Bar's Amended Petition.

6. The undersigned Chair of the Disciplinary Hearing Commission is in receipt of a certified copies of indictments and judgments of conviction establishing that Nelson has been convicted of felony criminal offenses showing professional unfitness as defined in 27 N.C. Admin. Code 1B.0103(17) and N.C. Gen. Stat. § 84 28(b).

7. The criminal offenses to which Nelson pled guilty qualify as a proper basis for entry of an order of interim suspension.

8. Nelson's criminal conduct caused significant harm and the potential for significant harm to the legal profession and the public's perception of the legal profession, as it shows a disregard for her obligations as an attorney and an officer of the court.

9. Based upon the nature of Nelson's criminal offenses, the facts established by Nelson's guilty pleas, and the significant harm and the potential for significant harm to the legal

profession and to the public's perception of the profession caused by Nelson's misconduct, entry of an order of interim suspension is warranted in this case.

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

ORDER

1. The license to practice law in the State of North Carolina of Rebecca A. Nelson is hereby **SUSPENDED** until the conclusion of all disciplinary proceedings pending before the North Carolina State Bar related to Nelson's pleas of guilty to criminal offenses showing professional unfitness in Wake County Superior Court file numbers 20 CRS 202374-76.

2. Nelson shall comply with the provisions of 27 N.C. Admin. Code 1B.0128.

This 20th day of January, 2023.

Stephanie Davis

Stephanie Davis, Chair
Disciplinary Hearing Commission