

STATE OF NORTH CAROLINA BY: S. Smallwood IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

WAKE COUNTY

FILE NO.: 24-CV-040438-910

THE NORTH CAROLINA STATE BAR,

Petitioner

v.

KEVIN LEIGH WINGATE, Attorney,

Respondent

CONSENT ORDER

OF DISBARMENT

THIS MATTER came before the undersigned Judge of the Superior Court of Wake County upon the tender of surrender of the law license of Kevin Leigh Wingate. Petitioner, the North Carolina State Bar, was represented by Alec J. Glenn. Respondent, Kevin Leigh Wingate, was represented by Alan M. Schneider.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Kevin Leigh Wingate, and the consent of the parties, the Court makes the following:

FINDINGS OF FACT

1. Wingate was admitted to the North Carolina State Bar on February 6, 2009, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations, and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

2. Petitioner, the North Carolina 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 (Chapter 1 of Title 27 of the North Carolina Administrative Code).

3. Prior to 28 November 2023, Wingate was engaged in the practice of law in the State of North Carolina and maintained a law office in Raleigh, Wake County, North Carolina. From 28 November 2023 through the present, he has been suspended from the practice of law.

4. On 27 July 2023, a jury in the Superior Court of Wake County, North Carolina found Wingate guilty of the following crimes:

- a. First Degree Statutory Sex Offense (19CR218467-910-51);
- b. Indecent Liberties with Child (18CR201795-910-51);

- c. Indecent Liberties with Child (19CR218465-910-52);
- d. Indecent Liberties with Child (19CR218465-910-51); and
- e. Incident Liberties with Child (19CR218465-910-53).

5. Under 27 N.C. Admin. Code 1B § .0119(a), Wingate's convictions constitute "conclusive evidence of guilt of [those] crime[s] in any disciplinary proceeding."

Based upon the foregoing Findings of Fact and the consent of the parties, the Court makes the following:

CONCLUSIONS OF LAW

1. This Court has jurisdiction over Wingate and over the subject matter of this proceeding.
2. The courts of this State have the inherent authority to take disciplinary action against attorneys licensed to practice law in North Carolina.
3. Wingate's convictions establish that Wingate committed criminal acts reflecting adversely on his honesty, trustworthiness, or fitness as a lawyer in violation of North Carolina Rule of Professional Conduct 8.4(b).
4. Wingate's convictions constitute grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(1) and (2).
5. Wingate has engaged in professional misconduct warranting disbarment.

IT IS NOW, THEREFORE, **ORDERED**:

1. The tender of surrender of the license of Kevin Leigh Wingate is hereby accepted.
2. Kevin Leigh Wingate is **DISBARRED** from the practice of law in North Carolina, effective upon entry of this order.
3. Wingate shall comply with State Bar Discipline and Disability Rule .0128 (27 N.C. Admin. Code 1B § .0128) and shall surrender his law license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Rule .0128.
4. Wingate shall not petition for reinstatement of his law license until the expiration of at least five (5) years from the date of entry of this order or has otherwise shown that his conviction has been expunged, overturned or otherwise eliminated as set forth in 27 N.C. Admin. Code 1B Sec. .0119(c).
5. Wingate's law license shall not be reinstated until he has demonstrated to the satisfaction of the Disciplinary Hearing Commission and the Council of the North Carolina State Bar that he has complied with the requirements for reinstatement, which are currently set forth in 27 N.C. Admin. Code 1B §§ .0128 & .0129(a) or has otherwise shown that his conviction has been expunged, overturned or otherwise eliminated as set forth in 27 N.C. Admin. Code 1B Sec. .0119(c).

Consent Order of Disbarment
Kevin Leigh Wingate
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6. The Clerk of the Superior Court of Wake County shall certify a copy of this order to the North Carolina State Bar.

7. The costs of this action are taxed against Kevin Leigh Wingate.

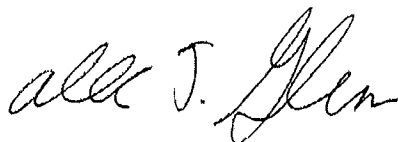
Done and Ordered this the 7th of January, 2025

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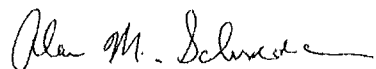


Superior Court Judge Presiding

CONSENTED TO BY:



Alec J. Glenn, Deputy Counsel
North Carolina State Bar
Attorney for Petitioner



Alan M. Schneider
Chesire Parker Schneider, PLLC
Attorney for Respondent

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 24 CVS _____

In re Discipline of:

KEVIN L. WINGATE, Attorney,

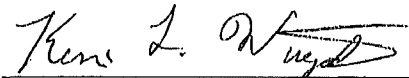
Respondent

AFFIDAVIT OF SURRENDER OF LAW
LICENSE

Kevin L. Wingate, being first duly sworn, deposes and says as follows:

1. I desire to surrender and hereby tender my license to practice law in North Carolina.
2. My surrender is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my surrender.
3. I am aware that the North Carolina State Bar is pursuing professional discipline against my license to practice law in this State based upon my convictions for the following crimes:
 - a. First Degree Statutory Sex Offense (19CR218467-910);
 - b. Indecent Liberties with Child (18CR201795-910);
 - c. Indecent Liberties with Child (19CR218465-910-51);
 - d. Indecent Liberties with Child (19CR218465-910-52); and
 - e. Incident Liberties with Child (19CR218465-910-53).
4. I am submitting my resignation because I know that I could not successfully defend against disciplinary charges predicated upon my convictions.

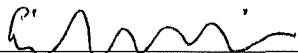
This the 16 day of December, 2024.



Kevin L. Wingate

I, ERIN L. WILSON, Notary Public of the County of WAKE, State of North Carolina, certify that Kevin L. Wingate 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.

Sworn and subscribed before me, this the 16th day of DECEMBER, 2024.

Signature: 

Date: December 16, 2024

My Commission Expires: July 23, 2028

