

NORTH CAROLINA

BEFORE THE COUNCIL

WAKE COUNTY

OF THE

NORTH CAROLINA STATE BAR

82 BCS 2

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IN RE TENDER OF SURRENDER            )  
 OF THE LICENSE OF                        )  
 JAMES WALTER SMITH, ATTORNEY        )            ORDER

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This matter came on for hearing before the Council of the North Carolina State Bar at its July 16, 1982, meeting in Raleigh, North Carolina pursuant to Section 17, Article IX of the Rules and Regulations of the North Carolina State Bar as a result of James Walter Smith tendering his license to practice law; and

It appearing that James Walter Smith has submitted an affidavit dated May 19, 1982, to the Council stating his desire to resign from the Practice of Law in North Carolina; that his resignation is freely and voluntarily rendered and not the result of coercion or duress; that he is fully aware of a pending disciplinary proceeding against him wherein he is charged with certain professional misconduct, the nature of which is specifically set forth in the affidavit; and that he admits the truth of the material allegations and that he could not defend against the disciplinary charges; and

It further appearing that James Walter Smith has pleaded guilty in the United States District Court for the Eastern District of North Carolina to the offense of armed bank robbery in violation of Title 18, U.S.C. § 2113(d) on January 4, 1982; and

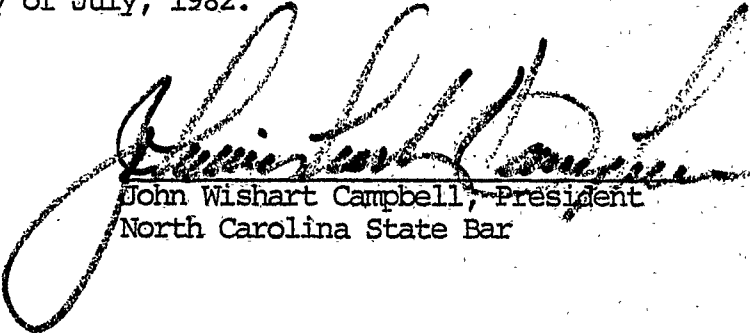
It further appearing that the Secretary is currently in possession of the license of James Walter Smith as a result of the imposition of an 18 month suspension by Order of a Hearing Committee of the Disciplinary Hearing Commission of the North Carolina State Bar in 80 DHC 16 dated January 9, 1981.

Now therefore, based upon the affidavit of James Walter Smith, which the Council finds to satisfy the requirements of Section 17 of the aforesaid Rules, and upon motion duly made and seconded, it is

RESOLVED, that the tender of surrender of the license of James Walter Smith to Practice Law is accepted by the Council and that the following ORDER is entered:

- 1) The tender of surrender of the license of James Walter Smith to Practice Law is accepted by the Council.
- 2) James Walter Smith is hereby DISBARRED.
- 3) The costs of these proceedings are hereby taxed to James Walter Smith.

This the 16th day of July, 1982.

  
John Wishart Campbell, President  
North Carolina State Bar