

WAKE COUNTY

NORTH CAROLINA

FILED
2009 MAY -4 PM 2:53

WAKE COUNTY, C.S.C.

IN THE GENERAL COURTS OF JUSTICE

SUPERIOR COURT DIVISION

09 CVS

BY _____

THE NORTH CAROLINA STATE BAR,
PETITIONER,

v.

JOSEPH W. DEAN, ATTORNEY,
RESPONDENT.AFFIDAVIT OF SURRENDER
OF LAW LICENSE

Joseph W. Dean, 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 pursuant to the provisions of 27 N.C. Admin. Code Chapter 1, Subchapter B, Section .0117 of the N.C. State Bar Discipline & Disability Rules.

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.

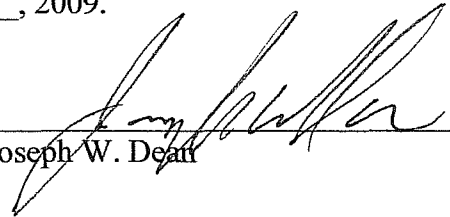
3. I am aware that there is pending an investigation regarding allegations that while serving as closing attorney, I knowingly facilitated and participated in numerous fraudulent real estate closings in which I signed and transmitted HUD-1 Settlement Statements that I knew contained false information.

4. I acknowledge that the material facts upon which the investigation is predicated are true.

5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

6. I affirm that I have had a full opportunity to seek the advice and counsel of an attorney in submitting this Affidavit.

This the 29th day of April, 2009.

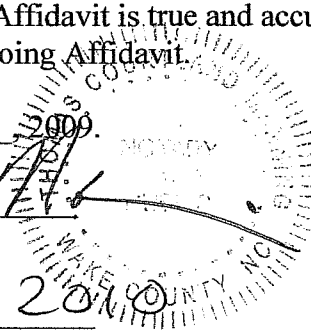

Joseph W. Dean

I, Thomas Courtland Manning, Notary Public of the County of Wake, State of North Carolina, certify that Joseph W. Dean 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 29 day of April, 2009.

Notary Public

My Commission Expires: 10-16-2010



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IN THE GENERAL COURTS OF JUSTICE
SUPERIOR COURT DIVISION
09 CVS

THE NORTH CAROLINA STATE BAR, ^{BY})
 PETITIONER,)
)
 v.)
)
 JOSEPH W. DEAN, ATTORNEY,)
 RESPONDENT.)

CONSENT ORDER
 OF
 DISBARMENT

THIS MATTER came on to be heard and was heard by the undersigned Judge of the Superior Court of Wake County. Petitioner, the North Carolina State Bar, was represented by Katherine E. Jean. Respondent, Joseph W. Dean, was represented by Thomas C. Manning.

Based upon the Affidavit of Surrender of Law License submitted to the court by Joseph W. Dean, the court makes the following:

FINDINGS OF FACT

1. Joseph W. Dean was licensed to practice law in North Carolina on January 15, 1993 and maintained a law practice in Raleigh, Wake County.
2. While serving as closing lawyer, Dean knowingly participated in and facilitated multiple fraudulent real estate transactions.
3. Dean engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Revised Rule of Professional Conduct 8.4(c).

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

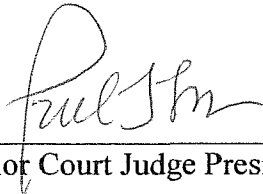
CONCLUSIONS OF LAW

1. Dean violated Rule 8.4(c) of the North Carolina Revised Rules of Professional Conduct.
2. Dean's misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. Section 84-28(b)(2).

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

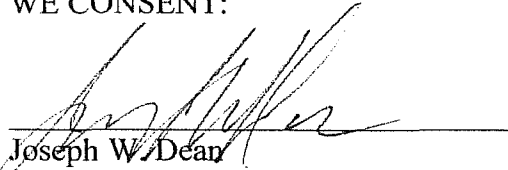
1. Joseph W. Dean is DISBARRED from the practice of law in North Carolina.
2. Joseph W. Dean shall comply with the provisions of Subchapter B, Section .0124 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Subchapter B, Section .0124. Dean has been given time to wind down his law practice prior to entry of this disbarment order; accordingly, his affidavit of compliance with the provisions of Section .0124 must be received by the State Bar within 10 days of the entry of this order.
3. The costs of this action are taxed against Joseph W. Dean.

Done and Ordered this 4 day of MAY, 2009.

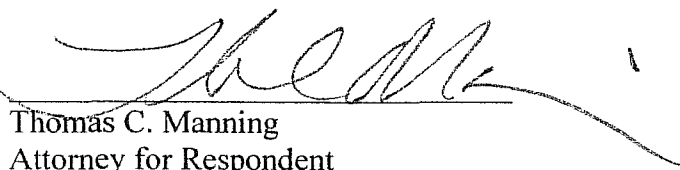


Superior Court Judge Presiding

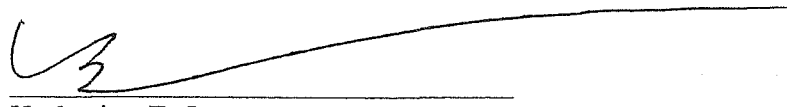
WE CONSENT:



Joseph W. Dean
Respondent



Thomas C. Manning
Attorney for Respondent



Katherine E. Jean
Attorney for Petitioner