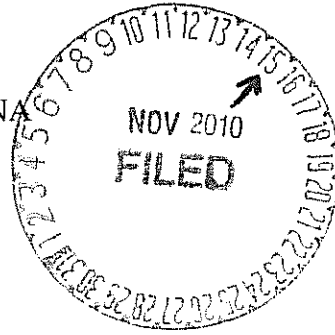


WAKE COUNTY



BEFORE THE GRIEVANCE COMMITTEE
OF
THE NORTH CAROLINA STATE BAR
08G0662 and 08G0669

THE NORTH CAROLINA STATE BAR,
Plaintiff

V.

ROBERT H. MELVILLE, JR., Attorney,
Respondent

Order Transferring Respondent to Disability Inactive Status

THIS MATTER is before the undersigned Chairperson of the Grievance Committee of the North Carolina State Bar pursuant to 27 N.C.A.C. 1B §.0118(g). Margaret Cloutier represents the North Carolina State Bar and Alan M. Schneider represents Respondent. Based upon facts presented and with the consent of the member and the counsel, the undersigned makes the following:

FINDINGS OF FACT

1. Plaintiff, the North Carolina State Bar, served a Letter of Notice and Subpoena for Cause Audit upon Respondent on October 7, 2008.
2. Pursuant to 27 N.C.A.C. 1B §.0112(c), Respondent's response to the Letter of Notice was due fifteen days from the date of service.
3. On October 30, 2008, Respondent, through counsel, asserted that he is disabled within the meaning of 27 N.C.A.C. 1B §.0103(19), raising a question about whether the Respondent has a disability that impairs his ability to practice law.
4. Respondent has provided a report of a mental health professional indicating the nature and extent of his asserted disability. Respondent has been diagnosed as suffering from Bipolar Disorder, Type II, and has been subject to a chronic depressive episode that has been ongoing for an extended period of years.
5. Respondent's mental health professional has stated his professional opinion that Respondent is currently disabled and is not capable of practicing law due to his mental condition.
6. State Bar counsel does not object to an order transferring Respondent to disability inactive status.

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

CONCLUSIONS OF LAW

1. Respondent has raised a contention that he is disabled within the meaning of 27 N.C.A.C. 1B § .0103(19).
2. Respondent suffers from a mental condition which significantly impairs his professional judgment, performance or competence as an attorney.
3. In accordance with 27 N.C.A.C. 1B § .0118(g), a member may be transferred to disability inactive status with the consent of the Chair of the Grievance Committee, the member, and State Bar counsel.
4. Any pending grievances against Respondent should be stayed during the period of disability.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Chair enters the following:

ORDER

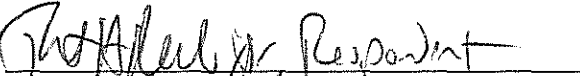
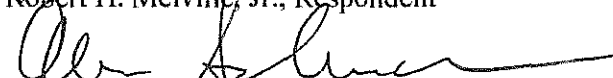
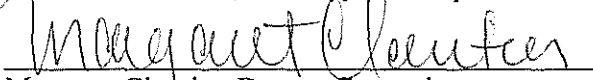
1. Respondent is hereby immediately transferred to disability inactive status.
2. Respondent will not practice law in North Carolina until he is no longer disabled and has been returned to active status as a member of the North Carolina State Bar pursuant to the procedures set out in 27 N.C.A.C. 1B §.0125(c).
3. All pending grievances shall be stayed during the period of disability but will be considered by the Grievance Committee as the circumstances warrant upon Respondent's return to active status.

This the 10 day of Nov, 2010.



Ronald G. Baker, Sr., Chair
North Carolina State Bar Grievance Committee

Consented to:


Robert H. Melville, Jr., Respondent
Alan M. Schneider, Attorney for Respondent
Margaret Cloutier, Deputy Counsel
North Carolina State Bar