

NORTH CAROLINA
WAKE COUNTY

BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
93 BCS 4

IN THE MATTER OF THE
TENDER OF LICENSE OF:
JAMES LAMBERT WORTHEY

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ORDER
OF DISBARMENT

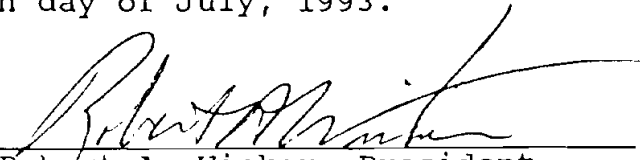
This matter coming on to be heard and being heard by the Council of the North Carolina State Bar on July 9, 1993 pursuant to Section 17 of Article IX of the Rules and Regulations of the North Carolina State Bar upon an affidavit of tender of license of James Lambert Worthey sworn to and subscribed on April 26, 1993 and filed in the offices of The North Carolina State Bar on May 3, 1993; and

BASED UPON the affidavit, the Council finds that James Lambert Worthey's conduct of misappropriating client funds, is grounds for discipline pursuant to NCGS 84-28(b)(2) in that Worthey violated Rule 1.2(B) and Rule 1.2(C) of the Rules of Professional Conduct.

WHEREFORE, upon Motion being duly made and seconded, the Council enters the following ORDER:

1. That the tender of surrender of license of James Lambert Worthey.
2. That James Lambert Worthey be and hereby is DISBARRED from the practice of law in North Carolina.
3. That the costs of this action be taxed against James Lambert Worthey.

Done and Ordered this 9th day of July, 1993.


Robert A. Wicker, President
North Carolina State Bar

North Carolina

MECKLENBURG County

AFFIDAVIT

TO: The Council of The North Carolina State Bar

I, JAMES LAMBERT WORTHEY, hereby tender my license to practice and desire to resign from The North Carolina State Bar. My resignation is tendered freely and voluntarily, is not the result of coercion or duress, and I am fully aware of the implications of submitting the resignation.

I am aware that there are presently pending investigations or other proceedings regarding allegations that I have been guilty of misconduct, to wit: Misappropriation of funds belonging to Kennedy Cuthbertson a/k/a Kenneth Cuthbertson, in the approximate amount of \$46,000.00, which funds were designated to pay off a prior mortgage on some property that Mr. Cuthbertson was purchasing, and that I misappropriated said funds without the permission of Kenneth (or Kennedy) Cuthbertson and used the money for personal uses.

I acknowledge that the material facts upon which the complaints are predicated are true. I am submitting my resignation because I know that if charges were predicated upon the misconduct under investigation I could not successfully defend against them.

This 26th day of April, 1993.

James Lambert Worthey
JAMES LAMBERT WORTHEY

Subscribed and sworn to before me this 26th day of
April, 1993.

Marshaella Whitaker

My commission expires October 9, 1994