

STATE OF NORTH CAROLINA

WAKE COUNTY

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
24 DHC 3

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

CHRISTOPHER L. PEBBLES, Attorney,

Defendant

CONSENT ORDER
OF
DISCIPLINE

This matter came before a hearing panel of the Disciplinary Hearing Commission composed of Brian O. Beverly, Chair, W. Ellis Boyle, and Heath R. Jenkins. Robert W. Weston represented the Plaintiff, the North Carolina State Bar. Defendant, Christopher L. Peebles, appeared *pro se*. Defendant waives a formal hearing in this matter. The parties stipulate and agree to the findings of fact and conclusions of law recited in this consent order. The parties consent to the discipline imposed by this order. By consenting to the entry of this order, Defendant knowingly, freely and voluntarily waives his right to appeal this consent order or to challenge in any way the sufficiency of the findings.

Based on the foregoing and on the consent of the parties, the Hearing Panel hereby finds by clear, cogent, and convincing evidence the following:

FINDINGS OF FACT

1. Plaintiff, the North Carolina State Bar (“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).

2. Defendant, Christopher L. Peebles (“Defendant”), was licensed to practice law in North Carolina on August 27, 2010, and is and was at all times referred to herein, an attorney at law licensed to practice law in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar, and the Rules of Professional Conduct.

3. During all or part of the relevant periods referred to herein, Defendant was engaged in the practice of law in the State of North Carolina and maintained a law office in Fayetteville, North Carolina.

4. In 2019, Defendant began representing J.D. (“Joycelene”) in a divorce matter against her spouse, R.D. (“Ralph”).

5. In May 2019, Ralph sued Joycelene in Hoke County District Court in a lawsuit with file number 19-CVD-0396.

6. In the lawsuit, Ralph asserted a single claim against Joycelene for absolute divorce.

7. After serving Joycelene with process, Ralph filed a motion (the “Summary Judgment Motion”) on or about September 11, 2019, for summary judgment on the absolute divorce claim.

8. On October 8, 2019, Defendant filed an answer and counterclaims for Joycelene.

9. Later in October 2019, the court held a hearing on Ralph’s Summary Judgment Motion.

10. Defendant did not move to continue the hearing on the Summary Judgment Motion.

11. Defendant attended the October 2019 hearing on the Summary Judgment Motion, where the court granted the motion.

12. As of the October 2019 hearing, no motion was pending for a disposition on any of Joycelene’s counterclaims.

13. As a result, the court did not address her counterclaims at the October 2019 hearing.

14. To the contrary, the court expressly informed Defendant that it was not ruling on Joycelene’s counterclaims.

15. Ralph’s counsel faxed Defendant a proposed order on the Summary Judgment Motion on October 15, 2019, but Defendant chose not to respond.

16. On November 14, 2019, the court entered an order (the “Summary Judgment Order”), granting Ralph’s motion for summary judgment in his favor on his absolute divorce claim.

17. The court did not make any disposition of Joycelene’s counterclaims in the Summary Judgment Order, as it had not heard any motion relating to those claims.

18. In December 2019, Ralph filed a motion (the “Rule 12(b)(6) Motion”) to dismiss Joycelene’s counterclaims.

19. Ralph set his Rule 12(b)(6) Motion for hearing during the session of court beginning on Tuesday, January 21, 2020.

20. Defendant did not attend the calendar call for the hearing on Ralph's Rule 12(b)(6) Motion.

21. As a result, Ralph's counsel and the court jointly called Defendant on the telephone from chambers on January 21 regarding the scheduling of the hearing later that week.

22. During the in-chambers communication, Defendant was informed to attend court on Friday, January 24, 2020, for the hearing on Ralph's Rule 12(b)(6) Motion.

23. Defendant attended the January 24, 2020 hearing on Ralph's Rule 12(b)(6) Motion.

24. Moreover, Defendant presented argument in opposition to Ralph's Rule 12(b)(6) Motion at the January 24, 2020 hearing.

25. The court announced at the hearing that it was granting the Rule 12(b)(6) Motion.

26. Again, Ralph's counsel faxed Defendant a proposed order on the Rule 12(b)(6) Motion on February 26, 2020, but Defendant did not respond.

27. On June 30, 2020, the court entered an order (the "Rule 12(b)(6) Order") granting Ralph's Rule 12(b)(6) Motion and dismissing Joycelene's counterclaim for equitable distribution, but preserving Joycelene's counterclaims for post-separation support and alimony.

28. On September 21, 2020, Defendant prepared and filed a motion (the "Rule 60 Motion") on Joycelene's behalf for relief from the Summary Judgment Order and the Rule 12(b)(6) Order pursuant to Rule 60(b) of the North Carolina Rules of Civil Procedure.

29. Defendant had Joycelene verify under oath the contents of the Rule 60 Motion.

30. Some of the matters Defendant asserted in the Rule 60 Motion were matters of which Defendant had personal knowledge, but of which Joycelene had no personal knowledge.

31. Before having Joycelene verify the Rule 60 Motion, Defendant did not fully and accurately discuss with her the matters of which he had personal knowledge but she did not.

32. Defendant asserted several false statements of material fact in the Rule 60 Motion including:

- a. That the court had dismissed all of Joycelene's counterclaims at the October 2019 hearing on the Summary Judgment Motion;
- b. That Defendant moved to continue the October 2019 hearing on the Summary Judgment Motion in order to present evidence and the court denied Defendant's motion;

- c. That Defendant did not receive notice of the January 24, 2020 hearing on the Rule 12(b)(6) Motion until after the hearing; and
- d. That Defendant was not present at the January 24, 2020 hearing on the Rule 12(b)(6) Motion.

33. Defendant asserted in the Rule 60 Motion that the foregoing statements in Paragraph 32 “establish[] a meritorious defense based on fraud as result of the irregularity of the entry of said Orders.”

34. Defendant knew the statements in Paragraph 32 were false when he made them.

35. Defendant did not inform Joycelene that these statements were false before having her verify the Rule 60 Motion under oath.

36. In November 2020, Ralph moved for sanctions (the “Rule 11 Motion”) against Joycelene and Defendant based on the Rule 60 Motion and Defendant’s misstatements therein.

37. In May 2021, Ralph also filed a motion to dismiss (the “Rule 41 Motion”) Joycelene’s remaining claims for her failure to prosecute the same.

38. On August 27, 2021, the court held a hearing on Ralph’s Rule 11 Motion and Rule 41 Motion (the “Rule 11 Hearing”).

39. During the Rule 11 Hearing, when confronted with his misstatements in the Rule 60 Motion, Defendant made additional false statements of material fact, including:

- a. That Defendant did not personally join a telephone call with the court and opposing counsel days before the hearing on the Rule 12(b)(6) Motion to discuss the scheduling of the same; and
- b. That his assertions in the Rule 60 Motion that he was not present at the hearing on the Rule 12(b)(6) Motion were, instead, meant to convey that Defendant did attend the January 24, 2020 hearing on the Rule 12(b)(6) Motion – but under the mistaken impression that the hearing was a status conference on Joycelene’s Rule 60 Motion.

40. Defendant knew the statements in Paragraph 39 were false when he made them.

41. At the conclusion of the Rule 11 Hearing, the court announced that it was granting both of Ralph’s motions and imposing sanctions upon Joycelene.

42. In October 2021, Joycelene submitted a complaint to the State Bar against Ralph’s attorney.

43. Joycelene based her complaint on Defendant's explanation to her that the lack of success on her counterclaims and in her defense was due to improper conduct by Ralph's attorney.

44. Defendant's explanation to Joycelene was incorrect and misleading, and failed to reasonably explain the reasons she did not succeed on her counterclaims or in her defense.

45. Defendant knew that Joycelene's lack of success was not due to improper conduct by Ralph's attorney and was due, at least in part, to Defendant's own conduct.

46. In October 2021, after Joycelene received a letter from the State Bar regarding her complaint against Ralph's attorney, she met with Defendant in his office to inform him that she attempted to file a grievance against Ralph's attorney and needed supporting documentation.

47. During this meeting, Joycelene showed Defendant the letter from the State Bar.

48. After learning that Joycelene had contacted the State Bar, Defendant told Joycelene that if she wished Defendant to keep representing her, she would need to sign a letter releasing him from any ethical violations in the representation and stating she was satisfied with the legal services he provided her to date.

49. Defendant drafted the letter and gave it to Joycelene to sign.

50. At the time of the meeting, Joycelene did not understand the role of Defendant's conduct in the lack of success on her counterclaims and in her defense to Ralph's claims, believing instead Defendant's explanation of misconduct by Ralph's attorney.

51. Joycelene signed the letter so that Defendant would continue the representation, although she was not satisfied with Defendant's legal services.

52. Defendant required Joycelene to sign the letter in an attempt to shield himself from future discipline.

53. In December 2021, the court entered a written order granting Ralph's Rule 41 and Rule 11 Motions.

54. The December 2021 order dismissed Joycelene's remaining counterclaims and ordered Joycelene to personally pay \$1,000.00 in attorneys' fees to Ralph as a sanction.

55. Joycelene paid the attorneys' fees to Ralph herself.

56. As of December 13, 2021, Defendant had not taken any steps to affirmatively prosecute Joycelene's counterclaims against Ralph since filing them.

57. The State Bar opened a grievance investigation against Defendant concerning the foregoing circumstances in Joycelene's case, bearing grievance file number 22G0370.

58. Defendant accepted service of a Letter of Notice in file number 22G0370 on July 13, 2022.

59. The Letter of Notice notified Defendant that the State Bar was investigating the veracity of his earlier statements about seeking a continuance of the hearing on the Summary Judgment Motion and about not being present for the January 24, 2020 hearing.

60. After accepting service, Defendant submitted a written response to the State Bar in the course of its investigation of file number 22G0370.

61. In his written response to the State Bar, Defendant represented:

- a. That on the morning of the October 2019 hearing on Ralph's Summary Judgment Motion, Defendant and Ralph's counsel reached an agreement before the hearing to continue the hearing;
- b. That when the court called Ralph's matter, Ralph's counsel asked the court to continue ~~the~~ the hearing;
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- c. That Defendant then informed the court that he agreed to Ralph's request for a continuance;
- d. That Ralph's counsel asked the court to address another matter while the parties waited on the clerk to provide future dates on the court's trial calendar; and
- e. That when Ralph's matter was recalled a few minutes later, Ralph's counsel changed her position and proceeded to prosecute the motion.

62. Defendant's representations to the State Bar alleged in Paragraph 61 were knowingly false statements of facts material to the State Bar's investigation.

63. After providing a written response, Defendant participated in an interview with the State Bar in the course of its investigation of file number 22G0370.

64. During the interview with the State Bar:

- a. Defendant again asserted that Ralph's counsel had agreed to and asked the court for a continuance of the hearing on the Summary Judgment Motion, with the court agreeing to the same and asking the clerk for future dates, before Ralph's counsel switched course mid-hearing;
- b. Defendant offered a second exculpatory explanation of his statement that he was not present at the January 24, 2020 hearing: that this statement actually meant that he was at the hearing under the mistaken impression that he was there for a status conference on an off-hand comment the court made during a hearing months

earlier about a hypothetical, un-filed Rule 60 motion (rather than Joycelene's Rule 60 Motion, which had not yet been filed);

- c. After State Bar staff pointed out that his initial exculpatory explanation to the court during the Rule 11 Hearing explicitly contradicted his second exculpatory explanation, Defendant offered a third exculpatory explanation: that his statement that he was not present at the January 24, 2020 hearing actually meant he was physically present, but under the mistaken belief that he was there for a status conference on whether Joycelene would be moving her counterclaims forward; and
- d. Defendant represented that he had been unaware that the January 24 hearing was, in fact, a hearing until he received the written order months later.

65. Defendant's representations to the State Bar alleged in Paragraph 64 were knowingly false statements of facts material to the State Bar's investigation.

Based on the foregoing Findings of Fact and with the consent of the parties, the Hearing Panel makes the following:

CONCLUSIONS OF LAW

1. All parties are properly before the Hearing Panel and the Panel has jurisdiction over Defendant, Christopher L. Peebles, and the subject matter of this proceeding.

2. Defendant was properly served with the summons and complaint in this matter.

3. Defendant's conduct, as set forth in the Findings of Fact above, constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(3) in that Defendant made knowing misrepresentations of facts or circumstances surrounding any complaint, allegation or charge of misconduct to the State Bar and pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Defendant violated the Rules of Professional Conduct as follows:

a) By making the misrepresentations in the Rule 60 Motion, Defendant: knowingly made a false statement of material fact to a tribunal, in violation of Rule 3.3(a)(1); knowingly made a false statement of material fact to a third person in the course of representing a client, in violation of Rule 4.1; and engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation that reflected adversely on his fitness as a lawyer, in violation of Rule 8.4(c);

b) By making the misrepresentations during the Rule 11 Hearing, Defendant: knowingly made a false statement of material fact to a tribunal, in violation of Rule 3.3(a)(1); knowingly made a false statement of material fact to a third person in the course of representing a client, in violation of Rule 4.1; and engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation that reflected adversely on his fitness as a lawyer, in violation of Rule 8.4(c);

c) By causing Joycelene to verify under oath the Rule 60 Motion containing misstatements of which Defendant had personal knowledge and Joycelene did not, Defendant counseled a client to engage in conduct that Defendant knew was criminal or fraudulent, in violation of Rule 1.2(d), failed to explain a matter to the extent reasonably necessary to permit a client to make informed decisions regarding the representation, in violation of Rule 1.4(b), and engaged in conduct prejudicial to the administration of justice, in violation of Rule 8.4(d);

d) By failing to prosecute Joycelene's counterclaims, Defendant failed to act with reasonable diligence and promptness in representing a client, in violation of Rule 1.3, and failed to make reasonable efforts to expedite litigation consistent with the interests of the client, in violation of Rule 3.2;

e) By misleadingly telling Joycelene that the lack of success on her counterclaims and on her defense to Ralph's claims was due to improper conduct by Ralph's attorney—while knowing the court issued its rulings based on his own misconduct and lack of diligence—Defendant failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of Rule 1.4(b), and engaged in deceitful conduct, in violation of Rule 8.4(c);

f) By having Joycelene sign a letter purporting to release him from any alleged existing ethical violations in the representation, Defendant engaged in conduct prejudicial to the administration of justice, in violation of Rule 8.4(d); and

g) By making false statements to the State Bar—concerning the proceedings in the hearing on the Summary Judgment Motion and concerning his earlier claim of not being present at the January 24, 2020 hearing—in his written response and interview during the investigation of grievance file number 22G0370, Defendant knowingly made false statements of material fact in connection with a disciplinary matter, in violation of Rule 8.1(a), and engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation that reflected adversely on his fitness as a lawyer, in violation of Rule 8.4(c).

Based on the foregoing Findings of Fact and Conclusions of Law and the consent of the parties, the Hearing Panel finds by clear, cogent and convincing evidence the following:

FINDINGS OF FACT REGARDING DISCIPLINE

1. Domestic clients rely on attorneys to help guide them through the legal process during a particularly difficult time in their lives. As a result, this makes clients in domestic cases a particularly vulnerable segment of the population.

2. Defendant's failure to prosecute Joycelene's counterclaims caused significant harm to a client that was already vulnerable due to her personal circumstances in addition to her unfamiliarity with the legal process and her reliance upon Defendant to protect her legal rights.

3. Prompt and accurate communication with clients is integral for an attorney to establish and maintain the trust of clients, and for clients to participate meaningfully in the representation and in their legal matters.

4. By misleading Joycelene, making a false representation to opposing counsel and the tribunal, filing a motion that contained false statements of material fact, and making false statements of material fact in connection with a disciplinary matter, Defendant created the potential for significant harm to a client, the public, the legal profession, and the administration of justice.

5. An attorney's honesty with the court is fundamental to the system of justice. The administration of justice is compromised when attorneys are not candid and truthful with the court. When attorneys are dishonest with the court, there is significant harm to the legal profession, the public's perception of the profession, as well as the potential for significant harm to clients.

6. An attorney's candor with the State Bar in connection with a disciplinary matter is fundamental to the system justice, which relies on the legal profession to be self-regulating for the protection of the public. The administration of justice is compromised when attorneys are not candid with the State Bar in connection with a disciplinary matter. When attorneys are dishonest with the State Bar in connection with a disciplinary matter, there is significant harm to the legal profession's self-regulation process and the public's perception of the profession.

7. On multiple occasions, Defendant made false statements to the tribunal in violation of his fundamental obligation as an officer of the court.

8. On multiple occasions, Defendant made false statements to the State Bar, frustrating the self-regulation of the legal profession and the protection of the public.

9. When a lawyer improperly attempts to dissuade a person from reporting allegations of misconduct, or attempts to improperly cause a person to waive, release, or otherwise disclaim the person's right to do so, the lawyer prejudices the administration of justice and the legal profession's self-regulatory process.

10. Defendant was previously disciplined in North Carolina. In 2019, Defendant received an Admonition for conduct unrelated to his candor.

11. Defendant now acknowledges the harm he caused to his client and the administration of justice and is remorseful for the same.

12. During the period in question, Defendant allowed his law practice to suffer from insufficient organization and preparedness, resulting in Defendant being unprepared at court hearings. Defendant's lack of organization and preparedness contributed to his false statements in that Defendant recklessly represented matters as fact despite making no effort to ensure their truthfulness and consciously disregarding the substantial risk of their falsity based on the information he knew.

13. The Hearing Panel has carefully considered all of the different forms of discipline available to it, including admonition, reprimand, censure, suspension, and disbarment, in considering the appropriate discipline to impose in this case.

Based on the foregoing Findings of Fact, Conclusions of Law, Findings of Fact Regarding Discipline, and the consent of the parties, the Hearing Panel enters the following:

CONCLUSIONS REGARDING DISCIPLINE

1. The Hearing Panel has carefully considered all of the different forms of discipline available to it, including admonition, reprimand, censure, suspension and disbarment.

2. The Hearing Panel considered all of the factors enumerated in 27 N.C. Admin. Code 1B § .0116(f).

3. The Hearing Panel has considered all of the factors enumerated in 27 N.C. Admin. Code 1B § .0116(f)(1) and determined the following factors are applicable in this matter:

- a. Factor (B), Intent of the Defendant to commit acts where the harm or potential harm is foreseeable;
- b. Factor (C), Circumstances reflecting the Defendant's lack of honesty, trustworthiness, or integrity;
- c. Factor (D), Elevation of Defendant's own interest above that of the client;
- d. Factor (E), Negative impact of Defendant's actions on client's or public's perception of the profession;
- e. Factor (F), Negative impact of the Defendant's actions on the administration of justice;
- f. Factor (G), Impairment of the client's ability to achieve the goals of the representation;
- g. Factor (H), Effect of Defendant's conduct on third parties;
- h. Factor (I), Acts of dishonesty, misrepresentation, deceit, or fabrication;

4. The Hearing Panel has considered the factors enumerated in 27 N.C. Admin. Code 1B § .0116(f)(2) of the Rules and Regulations of the North Carolina State Bar, which are factors warranting consideration of disbarment, and concluded the following factors in this section of the rule are present in this matter:

- a. Factor (A), Acts of dishonesty, misrepresentation, deceit, or fabrication; and
- b. Factor (B), Impulsive acts of dishonesty, misrepresentation, deceit, or fabrication without timely remedial efforts.

5. The Hearing Panel has considered all of the factors enumerated in 27 N.C. Admin. Code 1B § .0116(f)(3) of the Rules and Regulations of the North Carolina State Bar and determines that the following factors are applicable in this matter:

- a. Factor (A), Prior disciplinary offenses in this state;
- b. Factor (C), Dishonest or selfish motive, or the absence thereof;
- c. Factor (N), Submission of false evidence, false statements, or other deceptive practices during the disciplinary process;
- d. Factor (P), Remorse;
- e. Factor (R), Vulnerability of victim;

6. The Hearing Panel considered all of the disciplinary options available to it and determined that a stayed suspension with conditions is appropriate in this case, in light of the significant harm and potential harm caused by Defendant's conduct to his clients and the profession. A stayed suspension with conditions designed to ensure all necessary corrections are made to achieve and maintain full compliance with the Rules is necessary to protect clients and the public.

7. The Hearing Panel has considered all lesser sanctions and finds that discipline short of a stayed suspension would not adequately protect the public for the following reasons:

- a. The factors under Rule .0116(f)(1) are of a nature that support imposition of a suspension as the appropriate discipline;
- b. Supervision under a stayed suspension is necessary to ensure all required corrections are made and sustained; and
- c. Entry of an order imposing less serious discipline would fail to acknowledge the seriousness of the offenses Defendant committed and would send the wrong message to attorneys and to the public regarding the conduct expected of members of the Bar of this state.

Based on the foregoing Findings of Fact, Conclusions of Law, Findings of Fact Regarding Discipline, Conclusions of Law Regarding Discipline, and the consent of the parties, the Hearing Panel hereby enters the following:

ORDER OF DISCIPLINE

1. The law license of Defendant, Christopher L. Peebles, is hereby suspended for two (2) years, effective thirty days after service of this Order upon Defendant. The period of suspension is stayed from its inception for three (3) years subject to the terms set out below.

2. Defendant is taxed with the administrative fees and costs of this proceeding. Defendant shall pay the administrative fees and costs of this proceeding as assessed by the

Secretary of the North Carolina State Bar. Defendant must pay the costs within 30 days of service upon him of the statement of costs by the Secretary.

3. Defendant's two-year suspension is stayed for three years. The stay of Defendant's suspension of his law license will continue in effect only as long as Defendant complies with all of the following conditions:

- a. Defendant timely pays the administrative fees and costs as set out herein;
- b. Defendant shall establish a set of written client communication procedures for his practice that he will follow to ensure compliance with his obligations under Rule 1.4. No later than 45 days from the effective date of this order, Defendant shall submit these procedures to the Office of Counsel. Defendant shall make any adjustments required by the Office of Counsel to ensure compliance with the Rules of Professional Conduct;
- c. Within 30 days of the effective date of this order, Defendant shall arrange for an active member of the North Carolina State Bar to serve as his law practice monitor.
 1. Defendant's practice monitor shall be an attorney in good standing of the North Carolina State Bar who practices law in the judicial district in which Defendant primarily practices;
 2. Defendant must submit the name and contact information of the proposed practice monitor to the Office of Counsel for approval in advance. Approval from the Office of Counsel is required as part of compliance with the preceding paragraph. Approval will not be unreasonably withheld;
 3. The selected practice monitor must agree in writing to so serve. Defendant shall ensure that the practice monitor's written agreement recites all of the practice monitor's duties and contains the practice monitor's signature so indicating;
 4. The practice monitor shall agree to supervise all client matters and make reasonable efforts to ensure that Defendant handles them in a timely fashion, including promptly responding to his clients and diligently pursuing his clients' matters;
 5. Defendant must provide the Office of Counsel with the monitor's written signed agreement to provide the monitoring services described in the preceding paragraph within 45 days of the effective date of this order;

6. Defendant shall agree to meet once every month with his monitoring attorney. In these monthly meetings, Defendant shall:
 1. report to the monitoring attorney the status of all current client matters, discussing the goals and anticipated course of each representation;
 2. report to the monitoring attorney any complaints or grievances of which Defendant is aware concerning his professional conduct, as well as any motions for sanctions or orders to show cause involving Defendant or a client he represented;
 3. report to the monitoring attorney any court dates or other professional deadlines that Defendant has missed and any corrective measures he has taken regarding the same; and
 4. cooperate with the monitoring attorney, and provide any information the monitoring attorney deems reasonably necessary to ensure that Defendant is properly and timely handling all client matters
 7. The monitoring attorney shall submit written quarterly reports due to the Office of Counsel of the State Bar on the following dates as they occur during the stay of this suspension: January 15, April 15, July 15, and October 15. The reports shall summarize the results of the matters reported to the practice monitor during the monthly meetings with Defendant during that quarter, as well as any other concerns the practice monitor may have concerning Defendant's practice;
 8. The monitoring must occur for the duration of the stay of this suspension. Defendant will pay all costs, if any, related to the services of the practice monitor;
 9. Defendant shall ensure the Office of Counsel timely receives the practice monitor's quarterly reports; and
 10. Defendant shall cooperate with the Office of Counsel and make appropriate arrangements for an alternate practice monitor if needed during the stay of this suspension;
- d. For each calendar year of the stayed suspension, Defendant shall complete two additional hours of continuing legal education (CLE) on the topic of ethics or professional responsibility. These CLE requirements are in addition to Defendant's other CLE requirements;

- e. Defendant shall keep the North Carolina State Bar Membership Department advised of his current physical business and home addresses (not post-office box or drawer addresses), telephone number(s), and email address(es) and notify the State Bar of any changes within ten days of such change;
- f. Defendant shall accept all certified mail from the State Bar sent to the address on record with the State Bar Membership Department;
- g. Defendant shall respond to all letters of notice and requests for information from the North Carolina State Bar by the deadline stated therein with full and complete responses and all requested documentation;
- h. Defendant shall timely and fully respond to all communications from the State Bar, including communications from the Attorney Client Assistance Program, within 30 days of receipt of each communication or by the deadline stated in the communication, whichever is sooner;
- i. Defendant shall participate in good faith in the State Bar's fee dispute resolution process for any petition of which he receives notice after the effective date of this Order;
- j. Defendant will pay all membership dues, Client Security Fund assessments, and any other related dues, fees, and/or costs by the applicable deadline;
- k. Defendant will not violate the Rules of Professional Conduct in effect during the period of the stay; and
- l. Defendant will not violate any laws of the State of North Carolina or of the United States, other than minor traffic violations, during the period of the stay;

4. Unless Defendant's obligations under this Order are modified by further order of the DHC, Defendant's obligations under this Order end three years from the effective date of the Order, provided there are at that time no pending motions to activate the suspension of his law license alleging lack of compliance with the conditions of the stay of the suspension. Pursuant to 27 N.C. Admin. Code 1B § .0118, the DHC retains jurisdiction until all conditions of the stay of the suspension have been met. If a motion or proceeding alleging lack of compliance with the conditions for the stay of the suspension is pending when the period of the stay of the suspension would otherwise have terminated, the DHC retains the jurisdiction and ability to lift the stay of the suspension and activate the three-year suspension in whole or in part if it finds that any of the conditions of the stay have not been met. The stay of the suspension and Defendant's obligation to comply with the conditions for the stay will continue until resolution of any such pending motion or proceeding.

5. If during the stay of the suspension Defendant fails to comply with any one or more of the conditions stated above, then the stay of Defendant's suspension may be lifted as provided in § .0118(a) of the North Carolina State Bar Discipline and Disability Rules.

6. If the stay of the suspension is lifted and the suspension is activated for any reason, Defendant may apply for reinstatement after serving the activated suspension, by filing a petition with the DHC demonstrating compliance by clear, cogent, and convincing evidence with the requirements of 27 N.C. Admin. Code 1B § .0129, any requirements in the order activating the suspension, and the following requirements:

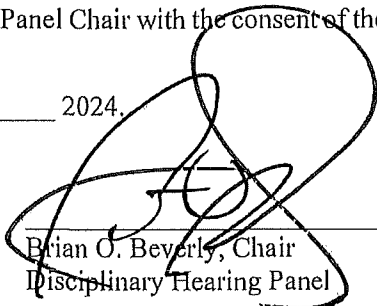
- a. Defendant properly wound down his law practice and complied with the terms of 27 N.C. Admin. Code 1B § .0128 of the State Bar Discipline & Disability Rules;
- b. Defendant submitted his law license and membership card to the Secretary of the State Bar no later than 30 days following the effective date of the order lifting the stay;
- c. Within 15 days of the effective date of an order lifting the stay, Defendant shall have provided the Office of Counsel and the Membership Department of the State Bar with an address and telephone number at which clients seeking return of files can communicate with Defendant and obtain such files. Defendant must have kept this information current with the Membership Department of the State Bar, providing updated information to the State Bar within 15 days of any change;
- d. Defendant shall have promptly returned client files in his possession, custody, or control to clients upon request, within 5 days of receipt of such request. Defendant will be deemed to have received any such request 3 days after the date such request is sent to Defendant if the request is sent to the address Defendant provided the Membership Department of the State Bar pursuant to the preceding paragraph;
- e. Defendant disbursed to the proper recipients all identified client funds in any trust account he maintained upon the termination of his representation by the activation of his suspension;
- f. Defendant kept the Membership Department of the State Bar informed of his current information for his physical address (not a Post Office box), telephone number, and e-mail address throughout the period of his suspension;
- g. Defendant accepted all certified mail from the State Bar sent to the address on record with the Membership Department of the North Carolina State Bar throughout the period of the suspension;
- h. Defendant responded to all letters of notice and requests for information from the North Carolina State Bar by the deadline stated therein with full and complete responses and all requested documentation throughout the period of his suspension;

- i. Defendant came into compliance with any outstanding continuing education or membership obligations at the time of the filing of his petition for reinstatement;
- j. Defendant did not violate any of the Rules of Professional Conduct in effect during the period of the suspension;
- k. Defendant did not violate any laws of the State of North Carolina or of the United States, other than minor traffic violations, during the period of the suspension;
- l. Defendant paid all costs and fees of this proceeding as assessed by the Secretary by the date of the filing of his petition for reinstatement; and
- m. If Defendant failed to fully comply with 27 N.C. Admin. Code 1B § .0128 Defendant shall reimburse the State Bar for any and all expenses incurred by the State Bar in winding down Defendant's practice. Such expenses may include, but are not limited to, storage facility fees, rent payments, moving expenses, charges for secure disposal of client files, postage or other mailing expenses and compensation paid to any appointed trustee and/or the trustee's assistant for time and travel associated with the trusteeship. The State Bar shall send an invoice of wind-down expenses to Defendant at Defendant's last known address of record with the State Bar. Defendant shall not be eligible for any stay of suspension or reinstatement from suspension until he has reimbursed the State bar for any wind-down expenses incurred.

7. The Disciplinary Hearing Commission will retain jurisdiction of this matter pursuant to 27 N.C. Admin. Code 1B § .0118 throughout the suspension, and any stay thereof, until all conditions of this Order have been satisfied.

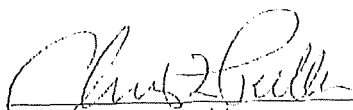
Signed by the undersigned Hearing Panel Chair with the consent of the other Hearing Panel members.

This the 3rd day of July 2024.

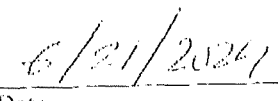


 Brian O. Beverly, Chair
 Disciplinary Hearing Panel

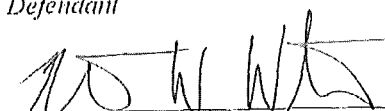
Agreed and consented to by:



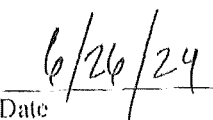
Christopher L. Peebles
Defendant



Date



Robert W. Weston, Deputy Counsel
Counsel for Plaintiff



Date