

NORTH CAROLINA

WAKE COUNTY

BEFORE THE
COUNCIL
OF THE
NORTH CAROLINA STATE BAR
92 BCS 3

IN THE MATTER OF:

TENDER OF SURRENDER OF LICENSE OF
ROBERT W. NEWSOM, III

ORDER OF DISBARMENT

This matter came on to be heard and was heard by the Council of the North Carolina State Bar pursuant to Section 17 of Article IX of the Discipline and Disbarment Procedures of the North Carolina State Bar on July 17, 1992 upon an Affidavit of tender of surrender of license pursuant to Section 17(A) executed by Robert W. Newsom, III on July 1, 1992. Based upon the Affidavit of tender of surrender of license of Robert W. Newsom, III, the North Carolina State Bar Council makes the following FINDING OF FACT:

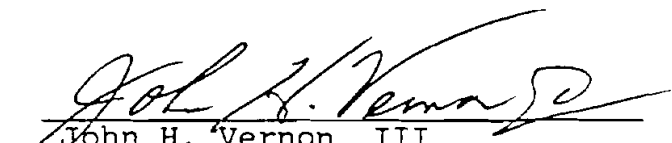
Newsom altered a court document in the case of State v. Fewell. The alteration or tampering of a court document involved Newsom backdating a Motion for Appropriate Relief and placing it in the court files.

BASED UPON the admissions in Newsom's affidavit, the Council concludes that Newsom violated N.C. Gen. Stat. Section 84-28(b)(2) by violating Rules 1.2(B), (C) and (D) of the Rules of Professional Conduct.

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

1. The tender of surrender of license of Robert W. Newsom, III should be accepted.
2. Robert W. Newsom, III is hereby DISBARRED from the practice of law in North Carolina.
3. Robert W. Newsom, III shall surrender his license and membership card to the Secretary of the North Carolina State Bar immediately.
4. The costs of this proceeding are taxed to Robert W. Newsom, III.

This the 17th day of July, 1992.


John H. Vernon, III
President
North Carolina State Bar

NORTH CAROLINA
GUILFORD COUNTY

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In The Matter of:

ROBERT W. NEWSOM, III,

Attorney.

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AFFIDAVIT
N.C.S.B. Rule §17

ROBERT W. NEWSOM, III, being first duly sworn, deposes and says the following:

1. I am presently licensed to practice law in the State of North Carolina.

2. I am the subject of an investigation into allegations of misconduct on my part which is presently ongoing before the North Carolina State Bar.

3. I desire to resign from the practice of law and tender my license to practice in the State of North Carolina.

4. This resignation is freely and voluntarily rendered and is not the result of coercion, duress or any mental or emotional problem.

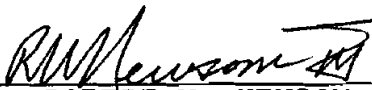
5. I am fully aware of the implications of my submitting this resignation.

6. I am aware there is presently pending before the N.C. State Bar an investigation regarding allegations of misconduct regarding my altering court records in Guilford County.

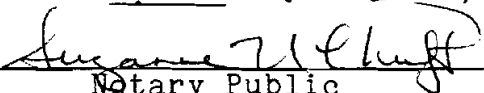
7. The nature of the allegations is that I altered the contents of a court file in Guilford County in the case of Craig Fewell in case no. 89 CRS 20251 which was on appeal to the North Carolina Court of Appeals at the time. The alteration alleged was my date-stamping and filing a Motion for Appropriate Relief in the file after the date shown on the stamp and that I entered the document on the docketing sheet in the file in a back-dated fashion.

8. The facts set forth in paragraph 7 hereinabove and giving rise to the grievance are true.

9. I am submitting this resignation because I know that I cannot successfully defend against the charges predicated on these allegations.


ROBERT W. NEWSOM, III

Sworn to and subscribed before me,
this the 11 day of ^{July}~~June~~, 1992.


Notary Public

My Commission Expires: 8/3/94