

NORTH CAROLINA
WAKE COUNTY

BEFORE
THE GRIEVANCE COMMITTEE
OF
THE NORTH CAROLINA STATE BAR
22G0045

IN THE MATTER OF)
)
PRENTICE KELLY DAWKINS,) CENSURE
ATTORNEY AT LAW)

On January 23, 2025, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by P.S. The grievance was assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of this matter.

Pursuant to section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Subcommittee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Subcommittee found probable cause. Probable cause is defined in the rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

Having found probable cause exists in your matter, the Grievance Committee next considered what level of discipline is most appropriate based on all the facts, the nature of the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. After further discussion and deliberations, the Grievance Committee determined the conduct before it merited discipline at the level of censure.

A censure is a written form of discipline issued when an attorney is determined to have violated one or more provisions of the Rules of Professional Conduct and has caused significant harm or potential significant harm to a client, the administration of justice, the profession or a member of the public, but the protection of the public does not require suspension of an attorney's license.

As Chair of the Grievance Committee of the North Carolina State Bar, it is my duty to issue this censure.

In December 2018, you undertook representation of client P.S. in an incompetency proceeding. P.S. paid you \$25,000 for the representation while you worked at your former law firm. P.S. subsequently filed a Petition for Resolution of Disputed Fees against you. You failed to timely respond to requests for information from the assigned fee dispute resolution facilitator and otherwise failed to participate in good faith in the fee dispute resolution process in violation of Rule 1.5(f)(2).

In January 2023, you were properly served with a Letter of Notice in this grievance matter. In the Letter of Notice, the State Bar alleged, in part, that you failed to submit a written, signed response in the fee dispute matter and failed to participate in good faith in the fee dispute resolution process. The State Bar also asked that you produce documentation related to the grievance investigation. In your February 2023 response, you did not address the allegations that you failed to submit a response in the fee dispute matter and failed to participate in the fee dispute resolution process. Moreover, you failed to provide any of the documentation requested by the State Bar in its Letter of Notice in this grievance matter. The State Bar served you with an investigative subpoena in May 2023. While you appeared for examination at the place, date and time indicated in the subpoena, you failed to timely

produce certain records that you were required to produce pursuant to the subpoena. Your failure to timely and fully respond to State Bar requests for information violated Rule 8.1(b).

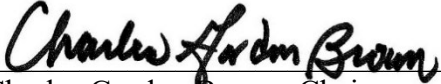
In determining the appropriate disposition of this matter, the Grievance Committee took into consideration that, in June 2023, you provided many of the documents that had been requested by the State Bar in the Letter of Notice and the investigative subpoena.

Accordingly, you are hereby censured by the North Carolina State Bar for your professional misconduct consisting of the cited violations of the Rules of Professional Conduct. The Grievance Committee trusts that you will heed this censure, recognize the errors you made, and hereafter embrace and adhere to the high ethical standards of the legal profession to which you committed when you took your oath. This censure should serve as a strong reminder and inducement for you to weigh carefully your responsibility to the public, your clients, your fellow attorneys and the courts, and to comport yourself as a respected member of the legal profession whose conduct may be relied upon without question.

If you accept this censure, it will be forwarded to the Clerk of the Superior Court in the county where you practice for entry upon the judgment docket and to the Clerks of the North Carolina Supreme Court and Court of Appeals, the United States District Courts of North Carolina, the United States Court of Appeals for the Fourth Circuit and the United States Supreme Court for entry in their minutes. The censure will be maintained as a record in the judgment book of the North Carolina State Bar and a copy will be sent to the complainant. Please review carefully the details set forth in the formal Notice of Censure attached.

In accordance with the policy adopted July 23, 2010 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any attorney issued a censure by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this 20th day of February, 2025.



Charles Gordon Brown, Chair
Grievance Committee

CGB/jms