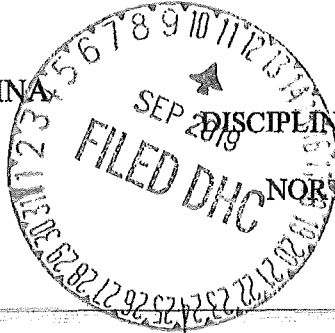


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE
 DISCIPLINARY HEARING COMMISSION
 OF THE
 NORTH CAROLINA STATE BAR
 18 DHC 48

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

STEVEN P. MACGILVRAY, Attorney,

Defendant

ORDER OF
DISBARMENT

This matter came before the undersigned Chair of the Disciplinary Hearing Commission pursuant to 27 N.C. Admin. Code 1B.0121(d) upon an affidavit of surrender of license executed by Steven P. MacGilvray on September 11, 2019 and filed in the offices of the North Carolina State Bar on September 11, 2019.

Based upon the pleadings and the record, the undersigned makes the following:

FINDINGS OF FACT

1. Plaintiff, the North Carolina State Bar (hereafter "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 promulgated thereunder.

2. Defendant, Steven P. MacGilvray, was licensed to practice law in North Carolina in 2013, and during all relevant periods herein he was an Attorney at Law subject to the rules, regulations, and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

3. On May 8, 2019, the North Carolina State Bar filed a formal complaint against Defendant alleging:

- (a) That on February 12, 2018, Defendant committed the crime of felony larceny in violation of N. C. Gen. Stat. § 14-72(a) by stealing a wallet containing \$1600.00;
- (b) That Defendant removed the \$1600.00 from the wallet;
- (c) That Defendant delivered the wallet to a deputy sheriff;

- (d) That Defendant falsely informed the deputy that he found the wallet in a bathroom; and
 - (e) That on October 26, 2018, Defendant pled guilty to and was convicted of the crime of misdemeanor larceny.
4. This conduct as set forth in the complaint constitutes:
- (a) conviction of a criminal offense showing professional unfitness and as such constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(1), and;
 - (b) violations of Rules 8.4(b) and 8.4(c) of the Rules of Professional Conduct and as such constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2).
5. Defendant has indicated his consent to disbarment by filing an affidavit of surrender with the Disciplinary Hearing Commission. The affidavit meets all requirements set forth in 27 N.C. Admin. Code 1B.0121(a)(1)-(4) and (d).

Based upon the foregoing Findings of Fact, the undersigned makes the following

CONCLUSIONS OF LAW

1. 27 N.C. Admin. Code 1B.0108(a) provides that the Chair of the Disciplinary Hearing Commission has the power and duty to enter orders disbarring members by consent.
2. 27 N.C. Admin. Code 1B.0121(d) provides that the Chair of the Disciplinary Hearing Commission will accept the surrender and issue an order of disbarment upon determination that an affidavit of surrender filed pursuant to this subsection meets the requirements set out in 27 N.C. Admin. Code 1B.0121(a)(1), (2), (3), and (4).
3. Defendant's affidavit meets all requirements set forth in 27 N.C. Admin. Code 1B.0121(a)(1)-(4) and (d) and the facts upon which the affidavit is predicated warrant Defendant's disbarment.

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned Chair of the Disciplinary Hearing Commission enters the following

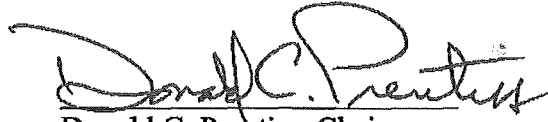
ORDER

1. The surrender of the license of Steven P. MacGilvray is hereby accepted.
2. Steven P. MacGilvray is **DISBARRED** from the practice of law in North Carolina effective upon the entry of this order with the Secretary of the North Carolina State Bar.
3. Steven P. MacGilvray shall comply with the provisions of 27 N.C. Admin. Code 1B.0121(e) and 1B.0128 and shall surrender his license and permanent membership card to the

Secretary of the North Carolina State Bar along with the affidavit required by 27 N.C. Admin. Code 1B.0128.

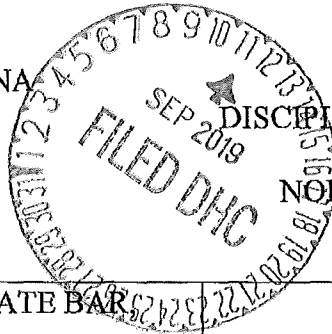
4. The costs and administrative fees of this action are taxed against Defendant.

This the 11 day of September 2019.


Donald C. Prentiss, Chair
Disciplinary Hearing Commission

STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
18 DHC 48

THE NORTH CAROLINA STATE BAR

Plaintiff

v.

STEVEN P. MACGILVRAY, Attorney,

Defendant

AFFIDAVIT OF SURRENDER
OF LAW LICENSE

Steven P. MacGilvray, first being duly sworn, deposes and says as follows:

1. I desire to resign and hereby tender my license to practice law in North Carolina.
2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation.
3. I am aware that there is pending a complaint against me before the Disciplinary Hearing Commission alleging the following:
 - a. That on February 12, 2018, I committed the crime of felony larceny in violation of N. C. Gen. Stat. § 14-72(a) by stealing a wallet containing \$1600.00;
 - b. That I removed the \$1600.00 from the wallet;
 - c. That I delivered the wallet to a deputy sheriff;
 - d. That I falsely informed the deputy that I found the wallet in a bathroom; and
 - e. That on October 26, 2018, I pled guilty to and was convicted of the crime of misdemeanor larceny.
4. I acknowledge that the material facts upon which the pending complaint is predicated are true.
5. I am submitting my resignation because I know that I could not successfully defend against the pending disciplinary charges.

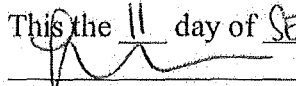
This 11th day of September, 2019.



Steven P. MacGilvray

I, LISA M RAMPELLO, Notary Public of the County of WAKE, State of North Carolina, certify that Steven P. MacGilvray personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of his own personal knowledge, and executed the foregoing Affidavit.

This the 11 day of SEPTEMBER, 2019.



LISA M RAMPELLO Notary Public

My commission expires: 12/3/2022

