

STATE OF NORTH CAROLINA

WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 17 CRS 1878

STATE OF NORTH CAROLINA

v.

WALLACE W. BRADSHER, Jr.,
Attorney,
Defendant

ORDER OF DISBARMENT

THIS MATTER came before the undersigned Judge of the Superior Court of Wake County upon the tender of surrender of the law license of Wallace W. Bradsher, Jr. Respondent appeared *pro se*.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Wallace W. Bradsher, Jr., the court makes the following:

FINDINGS OF FACT

1. Bradsher was licensed to practice law on August 18, 1990.
2. During all periods relevant hereto, Bradsher was employed as the District Attorney in Prosecutorial District 9-A, encompassing Caswell and Person Counties, North Carolina.
3. On June 18, 2018 Bradsher was convicted by a jury in the Superior Court of Wake County in case file no. 17CRS001878 of the following: Felony Obtain Property by False Pretense, Felony Aid & Abet Obtain Property by False Pretense, Felony Obstruction of Justice, Misdemeanor Obstruction of Justice, and Misdemeanor Willful Failure to Discharge Duties.
4. Bradsher has submitted an Affidavit of Surrender of Law License tendering his license to practice law. The affidavit is accepted, although the court makes note that in paragraph 5 of the Affidavit, Bradsher recites that "the Representative of the State Bar indicated that if the convictions were vacated on appeal that I would be reinstated immediately." The court finds that the representative of the State Bar, Margaret Cloutier, stated to the court and Bradsher that the State Bar has authority to disbar and attorney both on the grounds of a criminal conviction and on the basis of the underlying conduct, and that while an attorney disbarred solely on the basis of criminal conviction would be entitled to have his or her license reinstated if the conviction was overturned on appeal, the State Bar could conduct separate proceedings for disbarment based upon the conduct of the attorney, and that in situations like Bradsher's, the State Bar often waited until an appeal had run its course to determine whether such further proceedings would be necessary. The State Bar made no representation that in Bradsher's case, his license would be immediately reinstated if the convictions were overturned

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Clerk of Superior Court, Wake County

By:

Assistant Deputy Clerk of Superior Court

Date:

6-26-18

Based upon the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

1. This court has jurisdiction over Bradsher and over the subject matter of this proceeding.
2. The courts of this State have the inherent authority to take disciplinary action against attorneys licensed to practice law in North Carolina.
3. Bradsher's conviction of three felonies and two misdemeanors indicate that Bradsher engaged in criminal acts that reflect adversely on his honesty, trustworthiness, or fitness as a lawyer in violation of Rule of Professional Conduct 8.4(b), engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule of Professional Conduct 8.4(c), and engaged in conduct prejudicial to the administration of justice in violation of Rule of Professional Conduct 8.4(d).
4. Bradsher's misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2).
5. Bradsher has engaged in professional misconduct warranting disbarment.

IT IS NOW, THEREFORE, ORDERED:

1. The surrender of the license of Wallace W. Bradsher, Jr. is hereby accepted.
2. Wallace W. Bradsher, Jr. is DISBARRED from the practice of law in North Carolina effective upon entry of this Order.
3. Bradsher shall comply with the provisions of 27 N.C. Admin. Code 1B §.0128 and shall surrender his law license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Rule .0128.
4. Within 15 days of the effective date of this Order Bradsher shall provide the State Bar with an address and telephone number at which clients seeking return of files can communicate with Bradsher and obtain such files.
5. Bradsher shall not petition for reinstatement of his law license until the expiration of at least five years from the date of entry of this order.
6. Bradsher's law license shall not be reinstated until he has demonstrated to the satisfaction of the North Carolina State Bar that he has complied with 27 N.C. Admin. Code 1B §§ .0128 and .0129(a).
7. The costs of this action are taxed against Wallace W. Bradsher, Jr.

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Clerk of Superior Court, Wake County
By: 
Assistant Deputy Clerk of Superior Court
Date: 02/26/18

Done and Ordered this the 25th day of June, 2018.



Paul C. Ridgeway
Superior Court Judge Presiding

CERTIFIED TRUE COPY FROM ORIGINAL
Clerk of Superior Court, Wake County

By: 

Assistant Deputy Clerk of Superior Court

Date:  6-26-18

Certificate of Service

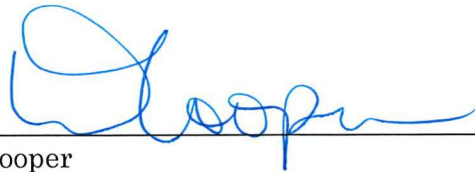
THIS IS TO CERTIFY that a copy of the foregoing Order was served upon the following parties and persons by mailing a copy thereof by postage prepaid, first class mail or by otherwise approved delivery addressed as follows:

Wallace W. Bradsher, Jr.
337 Denada Path
Roxboro, NC 27574

J. Patrick Latour
Assistant District Attorney
10th Prosecutorial District
Post Office Box 31
Raleigh, NC 27602

Margaret Cloutier
North Carolina State Bar
217 East Edenton Street
Raleigh, NC 27601

This, the 27th day of June, 2018.



Davis Cooper
Judicial Assistant
Wake County Superior Court Judges' Office

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Clerk of Superior Court, Wake County
By: 
Assistant Deputy Clerk of Superior Court
Date: 6/26/18

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SUPERIOR COURT DIVISION

2018 JUN 26

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File no.

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WAKE COUNTY

STATE OF NORTH CAROLINA

v.

WALLACE W. BRADSHER, Jr., Attorney,
Defendant

AFFIDAVIT OF
SURRENDER OF LAW LICENSE

Wallace W. Bradsher, Jr., being first duly sworn, deposes and says as follows:

1. I desire to surrender and hereby tender my license to practice law in North Carolina.
2. My surrender is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my surrender.
3. I acknowledge that there is a pending investigation by the State Bar regarding allegations that on June 18, 2018 I was convicted by a jury in the Superior Court of Wake County in case file no. 17CRS001878 of the following: Felony Obtain Property by False Pretense, Felony Aid & Abet Obtain Property by False Pretense, Felony Obstruction of Justice, Misdemeanor Obstruction of Justice, and Misdemeanor Willful Fail to Discharge Duties.
4. I **do not** acknowledge that the material facts alleged as a basis of the convictions are true; however, I do acknowledge that a Jury did return guilty verdicts as set forth in Paragraph 3 above, and that I promptly gave notice of appeal to the North Carolina Court of Appeals.
5. In Judge's Chambers, I acknowledged before Judge Ridgeway and a representative of the State Bar that based on the Jury Verdicts, that it would be inappropriate for me to hold a license to practice law while the appeal was pending and I immediately tendered my N.C. State Bar Card #17351 to the representative of the N.C. State Bar. Furthermore, Judge Ridgeway acknowledged that I had contested the charges and that he would not require me to acknowledge wrongdoing in an affidavit while my cases were on appeal. Furthermore, the Representative of the State Bar indicated that if the convictions were vacated on appeal that I would be reinstated immediately. I, thereafter acknowledged that if my appellate remedies did not yield reversal of the relevant convictions that I would not further contest the matter with the N.C. State Bar and would cooperate with the final surrender of my license.
6. I am submitting my resignation because I know that if disciplinary charges were predicated upon my convictions, I could not successfully defend against them; because the jury did in fact return verdicts of guilty as set forth in paragraph 3 above. However, I am also

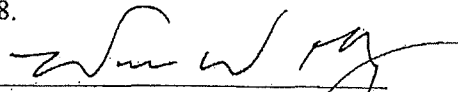
By:

Assistant Deputy Clerk of Superior Court

Date:

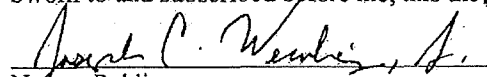
submitting my resignation and executing this affidavit because the N.C. State Bar has fairly and accurately acknowledged that I have a right to appeal my convictions, and they have indicated that if the appeal is successful I would be reinstated.

This the 24 day of June, 2018.


Wallace W. Bradsher, Jr.

I, Joseph C. Weinberger, Jr. Notary Public of the County of Person, State of North Carolina, certify that Wallace W. Bradsher, Jr. personally appeared before me this day and acknowledged the due execution of the foregoing Affidavit.

Sworn to and subscribed before me, this the 24th day of June, 2018.


Notary Public
My Commission Expires: 2-8-2022

