

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
20G0738

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IN THE MATTER OF )  
 )  
LARRY G. HOYLE, ) REPRIMAND  
ATTORNEY AT LAW )

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On July 15, 2021, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by T.P. 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.”

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required, and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, a reprimand, or a censure to the respondent attorney.

A reprimand is a written form of discipline more serious than an admonition issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused harm or potential harm to a client, the administration of justice, the profession, or a member of the public, but the misconduct does not require a censure.

The Grievance Committee was of the opinion that a censure is not required in this case and issues this reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand.

In April 2015, Mr. T.P. hired you to file a motion for contempt against his wife, A.P., in a child custody case. You represented Mr. P. at the emergency custody hearing on April 23, 2015. No emergency was found and the judge ruled that the parties comply with the custody order in place. You had no contact with Mr. P. after April 24, 2015.

In May 2019, Gaston County Department of Social Services (DSS) filed a juvenile petition alleging neglect and dependency regarding Mr. P.’s and Ms. A.P.’s child. Ms. A.P.

contacted you in June 2020 about representing her in the juvenile case. You represented Ms. A.P. when the juvenile case came on for hearing on October 13, 2020 and the court decided that the child should be returned to Ms. A.P.'s custody.

The Grievance Committee found that you had a conflict of interest in your representation of Ms. A.P. in the juvenile case in 2020 after you had represented Mr. P. in the child custody contempt motion in 2015, in violation of Rule 1.9(a). The child custody matter and the juvenile petition were substantially related as they both raised the question of the parents' fitness to have custody of the child. The Grievance Committee found that you changed sides when you represented Ms. A.P. in the juvenile case against Mr. P. In 2015, you advocated that Mr. P. was the proper parent to have custody of the child, but in the 2020 juvenile case, you expressed "concerns regarding Respondent/father's stability" relative to which parent was fit to have custody of the child. See finding of fact number 20 in the juvenile order.

In your response to this grievance, you indicated that you thought Mr. P. had waived any conflict. Mr. P. did not give informed consent, confirmed in writing, to your representation of Ms. A.P. in the juvenile case, as required by Rule 1.9(a).

You are hereby reprimanded by the North Carolina State Bar for your professional misconduct. The Grievance Committee trusts that you will heed this reprimand, that it will be remembered by you, that it will be beneficial to you, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession.

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 reprimand by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

This the 25<sup>th</sup> day of August, 2021.



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Matthew W. Smith, Chair  
Grievance Committee

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