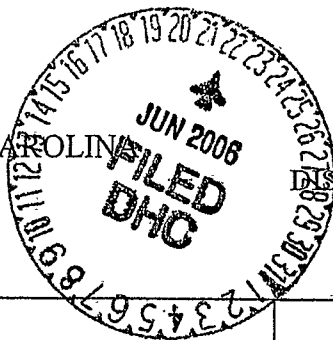


22140

STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
06 DHC 27

In re: **Dwayne A. Bennett,**
Attorney at Law

Consent Order of
Interim Suspension

THIS CAUSE came before the undersigned Chair of the Disciplinary Hearing Commission pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0115(d) of the Discipline & Disability Rules of the North Carolina State Bar and by consent of the parties and upon good cause shown, the undersigned hereby makes the following

FINDINGS OF FACT

1. Dwayne A. Bennett ("Bennett") was licensed to practice law in North Carolina on August 18, 1995 and is and was at all times referred to herein, an attorney at law, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of North Carolina.

2. The current address of record for Bennett with the North Carolina State Bar is 11701 Waterview Dr., Apt. 403, Chester, VA 23831.

3. On May 23, 2006, a Bill of Information was filed against Bennett in the United States District Court for the Western District of North Carolina, Docket Number 3:06CR125-V, alleging conspiracy in violation of 18 U.S.C. § 371. On that same date, a plea agreement signed by Bennett was filed in which Bennett agreed to enter a plea of guilty. The Bill of Information describes a conspiracy to commit mortgage fraud and describes Bennett's participation through his conduct in the course of closing real estate sales and disbursing funds differently than as stated on the HUD-1 Settlement Statements.

4. The date for entry of the plea and sentencing has not yet been set.

5. One of the conditions of the plea agreement is that Bennett surrender his license to practice law in all states in which he is admitted to the Bar.

6. Bennett has filed his affidavit of surrender with the State Bar and awaits presentation of the tender of his license to the Council of the State Bar at its July 2006 meeting.

7. Bennett freely and voluntarily, with the advice of counsel, consents to the entry of this Order of Interim Suspension while awaiting consideration by the Council of his affidavit surrendering his license to practice law.

Based upon the foregoing FINDINGS OF FACT, the undersigned makes the following

CONCLUSIONS OF LAW

1. The offense for which the Respondent, Dwayne A. Bennett, has entered into a plea agreement and under which he will plead guilty is a serious crime showing professional unfitness to practice as defined by Rule .0103(17) of the State Bar Discipline & Disbarment Rules and N.C. Gen. Stat. § 84-28(b).

2. Rule .0115(d) of Subchapter B of the Discipline & Disability Rules of the State Bar authorizes the Chair of the Disciplinary Hearing Commission to enter an order suspending an attorney's license in cases where an attorney pleads guilty to a serious crime showing professional unfitness to practice law.

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

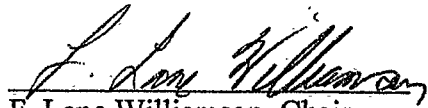
ORDER

1. The license to practice law in North Carolina of Dwayne A. Bennett is hereby **SUSPENDED** until the conclusion of all disciplinary matters pending before the North Carolina State Bar relating to his plea of guilty in the United States District Court for the Western District of North Carolina of a serious crime showing professional unfitness to practice law in file number 3:06CR125-V.

2. The effective date of this order of suspension shall be the date it is served by certified mail on the office of Bennett's attorney, Charles L. Morgan, Jr.

3. Bennett will comply with all requirements of 27 N.C. Admin. Code Chapter 1, Subchapter B, § .0124 of the North Carolina State Bar Discipline & Disability Rules for winding down his law practice no later than thirty days from the date this order is served by certified mail on the office of Bennett's attorney, Charles L. Morgan, Jr.

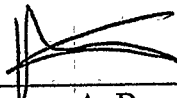
This the 20th day of June, 2006.


F. Lane Williamson, Chair
Disciplinary Hearing Commission

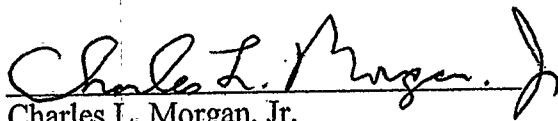
CONSENTED TO BY BOTH PARTIES (signatures on following page)

ORDER OF INTERIM SUSPENSION IN THE MATTER OF DWAYNE A. BENNETT

CONSENTED TO BY:



Dwayne A. Bennett
Respondent



Charles L. Morgan, Jr.
Counsel for Respondent



Jennifer A. Porter
Counsel for Petitioner
The North Carolina State Bar