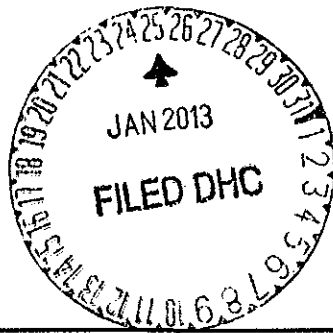


NORTH CAROLINA  
WAKE COUNTY



BEFORE THE COUNCIL  
OF THE  
NORTH CAROLINA STATE BAR  
13 BCS 1

IN THE MATTER OF THE TENDER )  
OF SURRENDER OF LICENSE OF )  
 )  
 )  
RANDOLPH E. SHELTON, JR., Attorney )

ORDER OF DISBARMENT

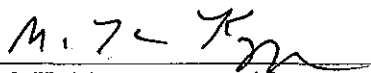
THIS MATTER came on to be heard by the Council of the North Carolina State Bar pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, §.0117(a) and (b) of the State Bar Discipline & Disability Rules upon an affidavit of tender of surrender of license executed by Randolph E. Shelton, Jr. on January 18, 2013 and filed in the offices of the North Carolina State Bar on January 22, 2013.

Based upon the affidavit, the Council finds that Randolph E. Shelton, Jr.'s admission to misappropriation of funds from an estate and taking more from another estate than the amount shown on the accounting that he filed is grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Randolph E. Shelton, Jr. violated Rules 8.4(b) and (c) of the Rules of Professional Conduct.

WHEREFORE, upon Motion made and duly seconded, the Council enters the following Order:

1. The tender of surrender of license of Randolph E. Shelton, Jr. is hereby accepted.
2. Randolph E. Shelton, Jr. is hereby DISBARRED from the practice of law in North Carolina.
3. The costs of this action are taxed against Randolph E. Shelton, Jr.

DONE AND ORDERED this 25th day of January 2013.

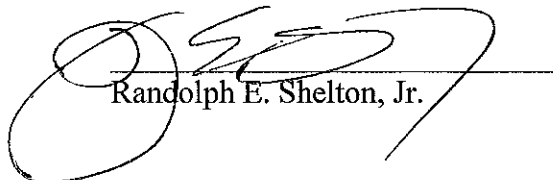
  
M. Keith Kapp, President  
North Carolina State Bar

AFFIDAVIT TENDERING THE SURRENDER OF THE LICENSE OF  
RANDOLPH E. SHELTON, JR.

I, Randolph E. Shelton, Jr., being first duly sworn, say:

1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to the provisions of Section .0117 of the North Carolina State Bar Discipline and Disability Rules, 27 N.C. Admin. Code Chapter 1, Subchapter B, Section .0117.
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 presently pending an investigation regarding allegations that I misappropriated entrusted funds belonging to the Estate of Janet Auxier, Additionally, with respect to the Estate of Terry Frazier, I took more from the estate than the amount shown on the accounting that I filed.
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. My resignation is being submitted because I know that if charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

Respectfully submitted, this the 18<sup>th</sup> day of January, 2013.

  
Randolph E. Shelton, Jr.

I Donna C. Harrelson Notary Public of the County of Moore, State of North Carolina, certify that Randolph E. Shelton, Jr. 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 18<sup>th</sup> day of January, 2013.

**DONNA C HARRELSON**  
Notary Public  
Hoke County, NC

Donna C. Harrelson  
Signature of Notary Public

Donna C. Harrelson  
Typed or Printed Name of Notary Public

My commission expires: 3-7-2015