

BY: SS
STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: 23 **CV028591-910**

THE NORTH CAROLINA STATE BAR,

Petitioner

v.

JACK W. DALY, Attorney,

Respondent

CONSENT ORDER
OF DISBARMENT

THIS MATTER came before the undersigned Judge upon the tender of surrender of the law license of Jack W. Daly.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Respondent, Jack W. Daly (hereinafter "Daly"), the Court makes the following:

FINDINGS OF FACT

1. Daly was admitted to the North Carolina State Bar in 1999 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, 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.

2. On or about 20 January 2023, the Administrative Committee of the North Carolina State Bar accepted Daly's voluntary petition to transfer to inactive status. Thereafter, Daly remained licensed but was ineligible to actively engage in the practice of law.

3. Daly is aware that there is presently pending an investigation regarding his plea of guilty in the United States District Court for the Eastern District of Wisconsin, case no. 2:23-cr-00078-jps, to one count of Conspiracy to Violate the Laws of the United States in violation of 18 U.S.C. § 371, to wit: Conspiracy to (a) commit mail fraud in violation of 18 U.S.C. §§ 1341 and 2(a); and (b) make false statements to an agency of the federal government (to wit, the Federal Elections Commission) in violation of 18 U.S.C. §§ 1001(a)(2) and 2(a). On 28 June 2023, District Court Judge Joseph P. Stadtmueller accepted Daly's guilty plea and adjudged him guilty of the offense.

4. Daly desires to resign his license to practice law and tenders his license to practice law in North Carolina. Daly's Affidavit of Surrender is attached as Exhibit A.

5. Daly's resignation is freely and voluntarily rendered. It is not the result of coercion or duress. Daly is fully aware of the implication of submitting his resignation.

6. Daly acknowledges that the material facts upon which the North Carolina State Bar's investigation is predicated are true.

7. Daly has submitted his resignation because he knows that if disciplinary charges were predicated upon the conduct under investigation, he could not successfully defend against them.

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

CONCLUSIONS OF LAW

1. Daly's conduct violates North Carolina Rules of Professional Conduct Rules 8.4(b) and 8.4(c).

2. Daly's misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(1) and (2).

3. The courts of this State have the inherent authority to take disciplinary action against attorneys licensed to practice law in North Carolina.

4. This Court has personal jurisdiction over Jack W. Daly and over the subject matter of this proceeding.

5. Daly has engaged in professional misconduct warranting disbarment.

IT IS NOW, THEREFORE, **ORDERED**:

1. Jack W. Daly is **DISBARRED** from the practice of law in North Carolina. This disbarment is effective upon the entry of this order by the Court.

2. Daly shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0128 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0128. Daly has 30 days from the entry of this order to complete the requirements of § .0128.

3. Daly shall not petition for reinstatement of his law license until the expiration of at least five (5) years from the date of entry of this order.

4. Daly's law license shall not be reinstated until he has demonstrated to the satisfaction of the Disciplinary Hearing Commission and the Council of the North Carolina State Bar that he has complied with 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0129.

5. The costs of this action and any administrative fees assessed by the North Carolina State Bar are taxed against Daly.

Done and Ordered this 13th day of October, 2023.

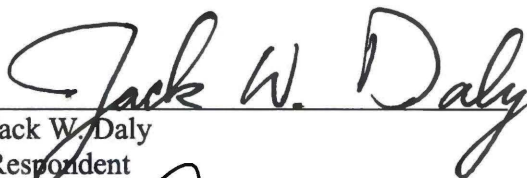


Superior Court Judge Presiding

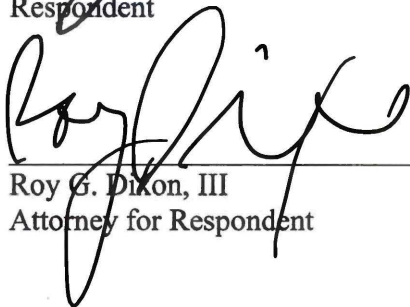
CONSENTED TO BY:



Savannah Perry
Deputy Counsel, North Carolina State Bar
Attorney for Petitioner



Jack W. Daly
Respondent



Roy G. Dixon, III
Attorney for Respondent

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THE NORTH CAROLINA STATE BAR,)
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Petitioner)
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JACK W. DALY, Attorney,)
)
)
Respondent)

AFFIDAVIT OF
SURRENDER OF LAW LICENSE

I, JACK WILLIAMS DALY, being first duly sworn, say:

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. On 8 June 2023, I pled guilty in the United States District Court for the Eastern District of Wisconsin, case no. 2:23-cr-00078-jps, to one count of Conspiracy to Violate the Laws of the United States in violation of 18 U.S.C. § 371, to wit: Conspiracy to (a) commit mail fraud in violation of 18 U.S.C. §§ 1341 and 2(a); and (b) make false statements to an agency of the federal government (to wit, the Federal Elections Commission) in violation of 18 U.S.C. §§ 1001(a)(2) and 2(a). On 28 June 2023, District Court Judge Joseph P. Stadtmueller accepted my guilty plea and adjudged me guilty of the offense.
4. I am aware that the State Bar is presently investigating my criminal conduct. I acknowledge that the material facts upon which the grievance investigation is predicated are true.
5. My resignation is being submitted because I know that if disciplinary charges were predicated upon my criminal conduct, I could not successfully defend against them.

Respectfully submitted, this the 8th day of September, 2023.

Jack Williams Daly
Jack Williams Daly

I, LaVerne Slack, Notary Public of the District of STT/STJ, Territory of the U.S. Virgin Islands, certify that Jack Williams Daly 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 8 day of September, 2023

Notary Public
(print name) LaVerne Slack

My commission expires: 3/18/27

NOTARY PUBLIC
LaVerne Slack
Commission Exp. March 18, 2027
Notary Public NP 596-23
St. Thomas/St. John District

