

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
21G0651

IN THE MATTER OF)
)
JAMES O. REYNOLDS,) CENSURE
ATTORNEY AT LAW)

On October 20, 2022, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by A. T. 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.

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

The Grievance Committee believes that a hearing before the Disciplinary Hearing Commission is not required in this case and issues this censure to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this censure.

In 2016, A.T. discovered that a deed for the purchase of real property had not been recorded and retained you to handle the issue. In September 2018, you informed A.T. that the other party signed the deed and that you would record it. By failing to record the deed, you failed to act with reasonable diligence and promptness, in violation of Rule 1.3. You stopped responding to A.T.'s calls, emails, and text messages regarding the status of his case. By failing to respond to A.T.'s communications, you failed to keep the client reasonably informed about the status of the matter, in violation of Rule 1.4(a)(3), and failed to promptly comply with reasonable requests for information, in violation of Rule 1.4(a)(4).

You were served by Sheriff with the letter of notice for this grievance on December 15, 2021. On August 8, 2022, the State Bar sent you a letter indicating your response was past due but still encouraging you to provide one. By failing to respond to Grievance Committee regarding this grievance, you knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of Rule 8.1(b), and engaged in conduct prejudicial to the administration of justice, in violation of Rule 8.4(d).

You are hereby censured by the North Carolina State Bar for your violation of the Rules of Professional Conduct. The Grievance Committee trusts that you will ponder this censure, recognize the error that you have made, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession. This censure should serve as a strong reminder and inducement for you to weigh carefully in the future your responsibility to the public, your clients, your fellow attorneys and the courts, to the end that you demean yourself as a respected member of the legal profession whose conduct may be relied upon without question.

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

Done and ordered, this the 28th day of November, 2022.

A handwritten signature in black ink, reading "Kevin G. Williams", is written over a light gray rectangular background.

Kevin G. Williams, Chair
Grievance Committee

KGW/lb