

12222

STATE OF NORTH CAROLINA

FILED

IN THE GENERAL COURT OF JUSTICE

COUNTY OF GUILFORD

2001 JAN -8 PM 2:00

SUPERIOR COURT DIVISION

00 CrS 23865

GUILFORD COUNTY, C.S.C.

BY: COO

IN RE T.O. STOKES

Attorney at Law

ORDER OF DISCIPLINE

This matter is before the Court pursuant to an Order to Show Cause issued December 20, 2000, to attorney T.O. Stokes to appear and show cause concerning whether he should be disciplined by the Court. The Court has considered those matters of record in 92 CrS 67848, State v. Bernardo Oramas, and heard from Mr. Stokes, who was present.

The Court finds that:

1. The defendant Bernardo Oramas was found guilty by a jury of Assault with a Deadly Weapon Inflicting Serious Injury on January 4, 1994;
2. After sentencing, appellate entries were signed by the presiding judge appointing T.O. Stokes to represent the defendant on appeal if the Appellate Defender declined appointment;
3. The Appellate Defendant declined appointment;
4. The appeal was never perfected and was dismissed on September 30, 1999.
5. By failing to perfect the appeal, T.O. Stokes violated his ethical and professional responsibilities to Mr. Oramas and violated his professional duty to this Court to represent clients when appointed to do so.
6. This violation was not intentional but was negligent.
7. Mr. Stokes is now fully aware of his obligation to represent clients on appeal when appointed to do so by the Court unless and until he is allowed by written order to withdraw from that representation.
8. Mr. Stokes has apologized for his error and accepted responsibility for his error.

It is therefore ORDERED that:

1. T.O. Stokes is cautioned to scrupulously insure that he meets his professional responsibilities in criminal appointed cases on appeal.
2. T.O. Stokes is admonished for his violation of his ethical and professional duties.

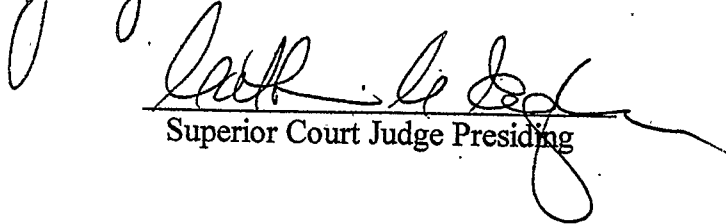
JAN - 8 2001

copies distributed

658

3. The Court recommends that Mr. Stokes retain the services of an appropriate consultant to assist him in developing procedures for his law office which minimize the risk that cases will "slip through the cracks" and which maximize the possibility that necessary paperwork will be accomplished expeditiously.
4. The Clerk shall mail a copy of this Order to T.O. Stokes and to the State Bar of North Carolina, PO Box 25908 Raleigh, NC 27611, attention Carolin Bakewell.

This 5 day of January, 2001.


Superior Court Judge Presiding