

21 OCT 94 10:51
NEW YORK STATE BAR

BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR

94 BCS 2

IN THE MATTER OF THE TENDER)
OF SURRENDER OF LICENSE OF)

ORDER

JOSEPH K. BYRD, JR.)

This matter coming on to be heard and being heard before the council of the North Carolina State Bar on October 21, 1994, pursuant to Section 17 of Article IX of the Rules of Discipline and Disbarment upon the tender of surrender of license of Joseph K. Byrd, Jr. sworn to and subscribed on October 18, 1994, and filed in the offices of the North Carolina State Bar on October 19, 1994; and

BASED UPON the affidavit, the council finds that Joseph K. Byrd, Jr. is guilty of conspiracy to possess with the intent to distribute between 20 and 40 kilograms of marijuana in violation of Rule 1.2(B) of the Rules of Professional Conduct.

WHEREFORE, upon motion being duly made and seconded, the council enters the following ORDER:

1. The tender of surrender of license of Joseph K. Byrd, Jr. is hereby accepted.
2. Joseph K. Byrd, Jr. is hereby DISBARRED from the practice of law in North Carolina.
3. Joseph K. Byrd, Jr. shall have until November 18, 1994, to comply with the provisions of Section 24 of Article IX of the Rules of Discipline and Disbarment. Mr. Byrd shall submit his license and membership card to the State Bar when he submits the affidavit required by Section 24(D).
4. The costs of this action are taxed against Joseph K. Byrd, Jr.

DONE AND ORDERED, this the 21st day of October, 1994.


Robert J. Robinson, President

19 OCT 94 10:11
NEW YORK STATE BAR

BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR

94 BCS 2

IN THE MATTER OF THE TENDER)
OF SURRENDER OF LICENSE OF) AFFIDAVIT
)
JOSEPH K. BYRD, JR.)

TO: The Council of the North Carolina State Bar

I, JOSEPH K. BYRD, JR., hereby tender my license to practice law in North Carolina and desire to resign from the North Carolina State Bar. My resignation is tendered freely and voluntarily, is not the result of coercion or duress, and I am fully aware of the implications of submitting the resignation.

I am aware that there is presently pending an investigation regarding allegations that I am guilty of misconduct, to wit: conspiracy to possess with the intent to distribute between 20 and 40 kilograms of marijuana in violation of Rule 1.2(B) of the Rules of Professional Conduct.

I acknowledge that the material facts upon which the grievance is predicated are true. I am submitting my resignation because I know that if charges were predicated upon the misconduct under investigation I could not successfully defend against them.

This the 17th day of October, 1994.

Joseph K. Byrd, Jr.
Joseph K. Byrd, Jr.

Sworn to and subscribed before me this the 18 day of October, 1994.

Johnnie Lynn Anderson
Notary Public

My commission expires: 10/27/95

[SEAL]