

11017

STATE OF NORTH CAROLINA

COUNTY OF WAKE

FILED

1987 MAR -8 IN 2:09

W. JAMES, SEC.
OF THE STATE BAR

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
85G 0306(II)

IN RE:

VINCENT JAMES MILITA, II,
ATTORNEY AT LAW

ORDER OF
RECIPROCAL DISCIPLINE

This matter coming on to be heard and being heard by the Grievance Committee of the North Carolina State Bar in regular quarterly session on July 23, 1986 pursuant to Rule 16 of the Rules of Discipline and Disbarment of the North Carolina State Bar, and it appearing that the subject attorney, who is a member of the North Carolina State Bar, was suspended from the practice of law in the State of New Jersey for a period of 6 months from June 8, 1985 through February 13, 1986 by Order of the Supreme Court of New Jersey because of professional misconduct, and it further appearing that on March 26, 1986 the Chairman of the Grievance Committee of the North Carolina State Bar did in accordance with the above rule direct the subject attorney a notice to show cause as to why reciprocal discipline in North Carolina would not be warranted, which notice was duly served upon the subject attorney by certified mail, and it further appearing that a response was received from the subject attorney that indicated that he had completed his suspension in the State of New Jersey, had duly notified the North Carolina State Bar of his suspension in New Jersey, and had not practiced law in North Carolina during the period of his suspension in New Jersey.

NOW THEREFORE the Grievance Committee enters the following CONCLUSIONS OF LAW:

- 1) The North Carolina State Bar has jurisdiction over the subject matter and the person of the subject attorney
- 2) The procedure required by Rule 16 of the Rules of Discipline and Disbarment has been complied with
- 3) The violations of professional ethics found by the Supreme Court of New Jersey also constitute substantial violations of the Code of Professional Responsibility of the North Carolina State Bar, particularly Disciplinary Rules 1-102(A)(5) and DR1-102(A)(6)
- 4) A 6 months suspension is an appropriate disciplinary sanction under the circumstances for the misconduct involved

- 5) The discipline in North Carolina should be imposed retroactively since the subject attorney did not practice in North Carolina during his suspension in New Jersey.

WHEREFORE, it is hereby ordered that:

- 1) Vincent James Milita, II be suspended from the practice of law in North Carolina for a period of 6 months retroactively applied to the period from June 8, 1985 through February 13, 1986.
- 2) The subject attorney is taxed with the costs of this proceeding.

This the 3rd day of March, 1987.

Joseph B. Cheshire, Jr.
Joseph B. Cheshire, Jr., Chairman
The Grievance Committee