

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
15 CVS 016674

2016 JUL 11 P 12:11
THE NORTH CAROLINA STATE BAR, S.S.C.

WAKE COUNTY, S.S.C.
v. BY Petitioner

ROBERT M. CHANDLER, JR., Attorney,
Respondent

CONSENT ORDER OF
DISBARMENT

THIS MATTER came before the undersigned Judge of the Superior Court of Wake County upon the tender of surrender of the law license of Robert M. Chandler, Jr. Petitioner, the North Carolina State Bar, was represented by Margaret Cloutier. Respondent appeared *pro se*.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Robert M. Chandler, Jr. and the consent of the parties, the court makes the following:

FINDINGS OF FACT

1. Chandler was licensed to practice law on August 17, 1967.
2. During all periods relevant hereto, Chandler was actively engaged in the practice of law in Rocky Mount, Nash County, North Carolina.
3. Chandler maintained a general trust account at PNC Bank ending in digits 3431. Chandler also maintained an operating account at PNC Bank ending in digits 9185 and a personal account at First South Bank ending in digits 0770. Chandler deposited entrusted client funds into all three accounts.
4. Between January 1, 2013 and December 31, 2015, Chandler misappropriated at least \$117,300.00 from funds entrusted to him and held in the general trust, operating and personal accounts identified above.

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

CONCLUSIONS OF LAW

1. This court has jurisdiction over Chandler and over the subject matter of this proceeding.

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

3. By misappropriating client funds entrusted to him, Chandler used entrusted property for the benefit of one other than the legal or beneficial owner in violation Rule of Professional Conduct 1.15-2(j), and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule of Professional Conduct 8.4(c);

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

5. Chandler has engaged in professional misconduct warranting disbarment.

IT IS NOW, THEREFORE, ORDERED:

1. The surrender of the license of Robert M. Chandler, Jr. is hereby accepted.

2. Robert M. Chandler is DISBARRED from the practice of law in North Carolina effective 30 days from the entry of this Order.

3. Chandler shall comply with the provisions of 27 N.C. Admin. Code 1B §.0124 and shall surrender his law license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by 27 N.C. Admin. Code 1B § .0124.

4. Chandler shall provide to the State Bar within thirty days of the effective date of this Order an address and telephone number at which clients seeking return of their files can communicate with Defendant and obtain such files.

5. Chandler shall return client files to the client within five days of receipt of a request for return of the client file. Chandler will be deemed to have received any such request three days after the date the request is sent to him if the request is sent to the address Chandler provided to the State Bar pursuant to this Order.

6. Chandler shall not petition for reinstatement of his law license until the expiration of at least five years from the date of entry of this order.

7. Chandler'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 1B § .0125.

8. The costs of this action are taxed against Robert M. Chandler, Jr.

This 7 day of July, 2016.

W. Donald Stephens
Superior Court Judge Presiding

Seen and consented to:

Robert M. Chandler, Jr.
Robert M. Chandler, Jr., Respondent
Margaret Cloutier
Margaret Cloutier, Deputy Counsel
North Carolina State Bar

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NORTH CAROLINA

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FILED

THE NORTH CAROLINA STATE BAR,

Petitioner

v.

ROBERT M. CHANDLER, JR., Attorney,
Respondent

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WAKE COUNTY, C.S.C.

BY RD

AFFIDAVIT OF SURRENDER

Robert M. Chandler, Jr., being first duly sworn, deposes and says as follows:

1. I desire to surrender and hereby tender my license to practice law in North Carolina.
2. My surrender is freely and voluntarily rendered, and is not the result of coercion or duress. I am fully aware of the implications of submitting my resignation.
3. I am aware that there is a pending investigation by the State Bar regarding allegations that I misappropriated at least \$117,300.00 of entrusted client funds.
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

This is the 11th day of May, 2016.

Robert M. Chandler, Jr.
Robert M. Chandler, Jr.

I, Susan C. Young, Notary Public of
the County of Nash, State of North
Carolina, certify that Robert M. Chandler, Jr.
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 11th day of May, 2016.

Susan C. Young
Notary Public

My commission expires: October 2, 2016

