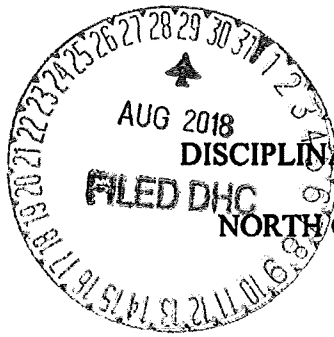


NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
18 DHC 14D

THE NORTH CAROLINA STATE BAR,)
Plaintiff)
v.)
WENDELYN R. HARRIS, Attorney,)
Defendant)

ORDER CONTINUING
DEFENDANT'S DISABILITY
INACTIVE STATUS

This matter was heard by a Hearing Panel of the Disciplinary Hearing Commission composed of Fred M. Morelock, Chair, Richard V. Bennett, and Tyler B. Morris. Margaret Cloutier represented Plaintiff. Defendant was represented by T. Greg Doucette.

Based on the pleadings and the evidence presented, the Hearing Panel finds by clear, cogent and convincing evidence the following

FINDINGS OF FACT

1. Plaintiff, the North Carolina State Bar (hereinafter "State Bar"), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar promulgated thereunder.

2. Defendant, Wendelyn R. Harris, was admitted to the North Carolina State Bar in March 2009 and is, and was at all times referred to herein, an Attorney at Law licensed to practice in North Carolina, subject to the rules, regulations, and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

3. The complaint in 18 DHC 14 was filed by the North Carolina State Bar on January 26, 2018. Defendant was properly served with process.

4. In her response to the Complaint, Defendant raised the issue of disability pursuant to 27 N.C.A.C. 1B, .0122(c)(3) of the North Carolina State Bar Discipline and

Disability Rules asserting that she was disabled within the meaning of .0103(19) of said Rules.

5. By Order filed April 26, 2018, Defendant was transferred to disability inactive status and the hearing on the disciplinary action was stayed pending a hearing on the issue of disability.

6. A hearing was held on August 24, 2018 during which evidence was presented by Defendant regarding the current status of her health after suffering a stroke in April 2017.

7. The Hearing Panel carefully considered the evidence presented by Defendant and her husband and mother regarding her cognitive abilities, her mobility issues, and the effects of her various medications.

8. The Hearing Panel finds that Defendant's professional judgment, performance and competence are presently impaired by the effects of the stroke and the effects of her various medications.

Based on the foregoing Findings of Fact, the Panel enters the following

CONCLUSIONS OF LAW

1. All parties are properly before the Hearing Panel, and the Panel has jurisdiction over Defendant and the subject matter of this proceeding.

2. Defendant is disabled within the meaning of 27 N.C.A.C. 1B .0103(19), and Defendant should be transferred to disability inactive status pursuant to 27 N.C.A.C. 1B .0122.

ORDER

1. Defendant's disability inactive status is continued.

2. Defendant shall refrain from practicing law in North Carolina until reinstated to active status pursuant to 27 N.C.A.C. 1B .0129(c).

3. The disciplinary action filed by the State Bar in 18 DHC 14 is stayed until such time as Defendant's disability inactive status is terminated.

4. The North Carolina State Bar, pursuant to Rule .0122(e), may continue to investigate the allegations of misconduct against Defendant, including the taking of whatever depositions it deems necessary to preserve evidence regarding the allegations

contained in the Complaint. No further orders of this Panel shall be necessary to take such depositions unless sought by the Defendant.

Signed by the undersigned Chair with the full knowledge and consent of the other members of the Hearing Panel, this 29 day of August, 2018.



FRED M. MORELOCK, CHAIR
HEARING PANEL