

THIS MATTER came before the Chair of the Disciplinary Hearing Commission pursuant to 27 N.C.A.C. 1B § .0117(d) upon an Affidavit of Surrender of Law License executed by Creighton W. Sossomon dated 9 October 2012 and filed with the Clerk of the Disciplinary Hearing Commission on 9 October 2012.

Based upon the pleadings and the record, including the Affidavit of Surrender of Law License, the undersigned makes the following:

FINDINGS OF FACT

- 1. Defendant, Creighton W. Sossomon, was licensed to practice law in North Carolina on 15 August 1969.
- 2. During all periods relevant hereto, Defendant was engaged in the practice of law in Highlands, Macon County, North Carolina.
- 3. In this disciplinary action the State Bar has alleged, among other things, that Sossomon used entrusted funds for the benefit of third parties without authorization from the beneficial owners of the funds.
- 4. In his Affidavit of Surrender, Sossomon admits the truth of the allegations regarding his unauthorized use of \$50,000.00 in entrusted funds for the benefit of someone other than the beneficial owner. Sossomon acknowledges that he cannot successfully defend against those allegations.
- 5. Defendant has indicated his wish to consent to disbarment by filing an Affidavit of Surrender with the Disciplinary Hearing Commission. The affidavit meets the requirements set forth in N.C.A.C. 1B § .0117(a)(1), (2), (3), & (4) and § .0117(d).

Based upon the foregoing Findings of Fact, the undersigned makes the following

CONCLUSIONS OF LAW

- 1. 27 N.C.A.C. 1B § .0108 provides that the Chair of the Disciplinary Hearing Commission has the power to enter orders disbarring members by consent.
- 2. Defendant's affidavit meets the requirements set forth in N.C.A.C. 1B § .0117(a)(1), (2), (3), & (4) and § .0117(d), and the facts upon which the affidavit is predicated warrant Defendant's disbarment.

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned Chair of the Disciplinary Hearing Commission enters the following

ORDER

- 1. The surrender of the law license of Creighton W. Sossomon is hereby accepted.
- 2. Creighton W. Sossomon is DISBARRED from the practice of law in North Carolina effective upon the entry of this order with the Secretary of the State Bar.
- 3. Defendant shall comply with the provisions § .0124 of the State Bar Discipline and Disability Rules, 27 N.C.A.C. 1B § .0124.
 - 4. The costs of this action are taxed against the Defendant.

This the $\frac{1}{2}$ day of October, 2012.

Sharon B. Alexander, Chair

Disciplinary Hearing Commission

STATE OF NORTH CAROLINA

OCT 2012

BEFORE THE
DISCIPITMARY HEARING COMMISSION
OF THE
WAKE COUNTY

NORTH CAROLINA STATE BAR
11 DHC 30

THE NORTH CAROLINA STATE BAR,
Plaintiff
V.
SURRENDER OF
LAW LICENSE

CREIGHTON W. SOSSOMON, Attorney,

Defendant

Creighton W. Sossomon, first being duly sworn, deposes and says as follows:

- 1. I desire to resign and hereby tender my license to practice law in North Carolina.
- 2. My resignation is freely and voluntarily rendered. It 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 pending a complaint against me before the Disciplinary Hearing Commission.
- 4. I acknowledge that a majority of the material facts upon which the pending complaint is predicated are true. I specifically acknowledge the truth of the allegations regarding my unauthorized use of \$50,000.00 in entrusted funds for the benefit someone other than the beneficial owner.
- 5. I am submitting my resignation because I know that I could not successfully defend against the pending disciplinary charges.

This the Aday of October, 2012.

Sulfation W. Sossomon

Creighton W. Sossomon

I, Ces H. Manley, Notary Public of the County of Macon, State of North Carolina, certify that Creighton W. Sossomon 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 day of October, 2012.

Notary Public My Commission Expires:

-8/8/13