

NORTH CAROLINA
WAKE COUNTY

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BEFORE THE COUNCIL
OF THE NORTH CAROLINA STATE BAR
91 BCS 4

IN THE MATTER OF THE TENDER
OF LICENSE OF
MILTON G. HARRIS

ORDER OF DISBARMENT

This matter came on to be heard and was heard by the Council of the North Carolina State Bar pursuant to Section 17 of Article IX of the Discipline & Disbarment Procedures of the North Carolina State Bar on July 12, 1991 upon an affidavit of tender of surrender pursuant to section 17(a)(2) executed by Milton G. Harris on July 9, 1991. Based upon the affidavit of tender of surrender of Milton G. Harris, the North Carolina State Bar Council makes the following FINDINGS OF FACT:

1. There is pending before the Disciplinary Hearing Commission of the North Carolina State Bar a formal complaint alleging that Harris violated the Rules of Professional Conduct.

2. Harris rendered freely and voluntarily his resignation by affidavit dated July 9, 1991. The tender of his affidavit was not the result of coercion or duress. Harris was fully aware of the implications of submitting his resignation.

3. Harris submitted his affidavit of surrender because he knew that he could not successfully defend all of against the allegations in the formal complaint referred to in paragraph 1.

4. Based upon Harris' admissions in his affidavit, he has engaged in substantial violations of the Rules of Professional Conduct.

5. Harris' attorney was notified that the Council of the State Bar would consider this matter at its meeting on July 12, 1991 and did not seek to be heard or introduce any evidence on Harris' behalf.

BASED UPON THE FOREGOING FINDINGS OF FACT, THE COUNCIL OF THE NORTH CAROLINA STATE BAR MAKES THE FOLLOWING CONCLUSIONS OF LAW:

1. The affidavit of Milton G. Harris to surrender his license to practice law complies with section 17 of Article IX of the Discipline & Disbarment Procedures of the North Carolina State Bar and the affidavit should be accepted.

2. Milton G. Harris has violated the North Carolina Rules of Professional Conduct, substantially as alleged in the State Bar's formal complaint in 91 DHC 10.

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NOW THEREFORE, UPON MOTION DULY MADE AND SECONDED, THE COUNCIL OF THE NORTH CAROLINA STATE BAR ORDERS THAT:

1. The tender of the license of Milton G. Harris is accepted.
2. Milton G. Harris is hereby DISBARRED from the practice of law in North Carolina.
3. Milton G. Harris shall surrender his license and membership card to the Secretary of the North Carolina State Bar immediately.
4. The costs of this proceeding are taxed to Milton G. Harris.

This the 16 day of July, 1991, nunc pro tunc, July 12, 1991.


Tommy W. Jarrett, President