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NORTH CAROLINA
WAKE COUNTY

BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
90 BCS 3

IN THE MATTER OF THE TENDER
OF SURRENDER OF LICENSE OF:

EUGENE A. CARMICHAEL

ORDER OF DISCIPLINE

This matter coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to Section 17 of Article IX of the Rules and Regulations of the North Carolina State Bar on April 13, 1990 upon the affidavit of surrender of license to practice law of Eugene A. Carmichael executed on March 16, 1990; and based upon the affidavit of Eugene A. Carmichael and the record, the Council finds:

1. Eugene A. Carmichael was mailed a copy of the notice of this hearing by the Secretary on March 26, 1990.
2. Eugene A. Carmichael misappropriated client funds for his personal use in the cases of George and Anna Emembolu, Rilla Baines, and others.

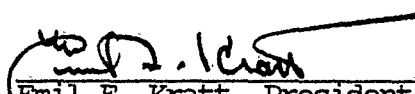
Based upon the foregoing FINDINGS, the Council makes the following CONCLUSIONS:

1. The affidavit of surrender of license of Eugene A. Carmichael should be accepted.
2. Eugene A. Carmichael's conduct, as set out in his affidavit, is grounds for discipline pursuant to N. C. Gen. Stat. Section 84-28(b)(2) in that Carmichael violated Rules 1.2(B) and (C), 10.1(A) and (C), and 10.2(E) of the Rules of Professional Conduct.

THEREFORE, upon motion duly made and seconded, the Council ORDERS that:

1. The tender of surrender of license of Eugene A. Carmichael is hereby accepted.
2. Eugene A. Carmichael is DISBARRED.
3. The costs of this proceeding, as imposed by the Secretary, are taxed to Eugene A. Carmichael.

This the 13th day of April, 1990.


Emil F. Kratt, President
North Carolina State Bar

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