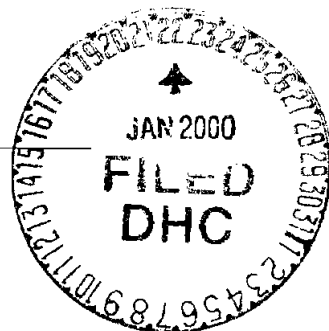


WAKE COUNTY  
NORTH CAROLINA

BEFORE THE DISCIPLINARY HEARING COMMISSION  
OF THE NORTH CAROLINA STATE BAR  
2000 BCS 1



IN THE MATTER OF THE  
TENDER OF LICENSE OF:  
JESSE EDWARD WELBORN

)  
)  
)  
) ORDER OF DISBARMENT  
)  
)

THIS MATTER coming to be heard and being heard by the Council of the North Carolina State Bar pursuant to Section .0017 of Subchapter B of the Rules and Regulations of the North Carolina State Bar upon an affidavit of tender of license executed by Jesse Edward Welborn and filed in the offices of the North Carolina State Bar on December 14, 1999.

Based upon the affidavit, the Council finds that Jesse Edward Welborn's conduct of misappropriating client funds is grounds for discipline pursuant to N.C. Gen. Stat. Section 84-28(b)(2) in that Jesse Edward Welborn violated Rule 1.2 (b) & (c), Rule 10.1(a) & (c), and 10.2(d) & (e), of the Rules of Professional Conduct and Rules 8.4(b) & (c), 1.15-1(a) & (d), and 1.15-2(g) & (h) of the Revised Rules of Professional Conduct.

WHEREFORE, upon motion being duly made and seconded, the Council enters the following order:

1. The tender of surrender of license of Jesse Edward Welborn be accepted.
2. Jesse Edward Welborn be and hereby is DISBARRED from the practice of law in North Carolina.
3. Jesse Edward Welborn shall comply with the provisions of Subchapter B, Section .0024 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Subchapter B, Section .0024.
4. That the costs of this action be taxed against Jesse Edward Welborn.

Done and Ordered this 21 day of January 2000.

Cressie H. Thigpen Jr., President  
North Carolina State Bar

STATE OF NORTH CAROLINA

COUNTY OF WAKE

AFFIDAVIT



TO: The Council of the North Carolina State Bar

I, Jesse Edward Welborn, hereby tender my license to practice and desire to resign from the North Carolina State Bar. My resignation is extended freely and voluntarily, and is not the result of coercion or duress, and I am fully aware of the implications of submitting this, my resignation.

I am aware that there is presently pending an investigation or other proceedings regarding allegations that I have been guilty of misconduct, specifically that:

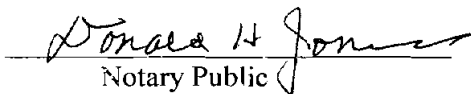
1. I misappropriated over \$250,000 of funds from my client trust account in 1997, 1998, and 1999 by issuing numerous checks to myself.
2. The funds I misappropriated in paragraph one above eventually caused there to be insufficient funds in my trust account to pay off my client's real estate loans and obligations in a timely manner. Once this occurred, I repeatedly misappropriated funds by using clients' funds from subsequent real estate closings to pay off interest and penalties that had accrued on previous clients' real estate loans and obligations.
3. At the time I was enjoined from handling client funds in August 1999, the defalcation in my trust account exceeded \$500,000.

I acknowledge that the facts as set forth in paragraphs 1-11 are true. I am submitting my resignation because I know if charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

This the 13 of December 1999.

  
Jesse Edward Welborn

Sworn to and subscribed before me,  
this 13<sup>th</sup> of Dec 1999.

  
Notary Public

My Commission Expires: July 5, 2000