

WAKE COUNTY

OF THE OHC NORTH CAROLINA STATE BAR 17 BCS 2

IN THE MATTER OF THE TENDER OF SURRENDER OF LICENSE OF

ORDER OF DISBARMENT

CHRISTOPHER MARC O'NEAL

THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to 27 N.C. Admin. Code, Chapter 1, Subchapter B, § .0117(a) of the State Bar Discipline & Disability Rules upon tender of an affidavit of surrender of license executed by Christopher Marc O'Neal (hereinafter "O'Neal") on July 14, 2017 and filed in the offices of the North Carolina State Bar on July 18, 2017.

Based upon the affidavit, the Council finds that O'Neal misappropriated entrusted funds in violation of the North Carolina Rules of Professional Conduct, including Rule 8.4(c). O'Neal's conduct is grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2).

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

- 1. The tender of surrender of license of Christopher Marc O'Neal is hereby accepted.
- 2. O'Neal is hereby DISBARRED from the practice of law in North Carolina.
- 3. O'Neal shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Subchapter B, § .0124 of the State Bar Discipline & Disability Rules. O'Neal shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0124 of the State Bar Discipline & Disability Rules within ten (10) days after the expiration of the wind-down period provided under § .0117(e).
- 4. The administrative fees and costs of this action are taxed against O'Neal.
- 5. Within 10 days of the date of this Order, O'Neal shall provide the State Bar with an address and telephone number at which clients seeking return of files can communicate with O'Neal and obtain such files, and O'Neal shall promptly return all files to his clients upon request.
- 6. If O'Neal fails to fully comply with 27 N.C. Admin. Code § 1B.0124, O'Neal shall reimburse the State Bar for all expenses incurred by the State Bar in winding down O'Neal's practice. Such expenses may include, but are not limited to,

storage facility fees, rent payments, moving expenses, charges for secure disposal of client files, postage or other mailing expenses, and compensation paid to a court-appointed trustee and/or the trustee's assistant for time and travel associated with the trusteeship. The State Bar shall send an invoice of wind-down expenses to O'Neal at O'Neal's last known address of record with the North Carolina State Bar. O'Neal shall not be eligible for reinstatement until he has reimbursed the State Bar for all wind-down expenses incurred.

Done and ordered this 28th day of July, 2017.

Mark W. Merritt, President North Carolina State Bar



AFFIDAVIT TENDERING THE SURRENDER OF THE LICENSE OF CHRISTOPHER MARC O'NEAL

I, Christopher Marc O'Neal, being first duly sworn, say as follows:

- 1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to the provisions of Section .0117 of the North Carolina State Bar Discipline and Disability Rules, 27 N.C. Admin. Code Chapter 1, Subchapter B, Section .0117.
- 2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation.
- 3. I am aware that there is presently pending an investigation regarding allegations that I misappropriated entrusted funds, misusing approximately \$14,500.00 of entrusted funds for the benefit of myself and over \$100,000.00 of entrusted funds for the benefit of clients who were not the beneficial owners of those funds.
- 4. I acknowledge that the material facts upon which the investigation is predicated are true.
- 5. My resignation is being submitted because I know that if charges were predicated upon the misconduct under investigation, I could not successfully defend against them.
- 6. I understand that the hearing by the Council of the North Carolina State Bar with regard to the acceptance of the tender of surrender of my license to practice law will occur at the regularly scheduled meeting of the Council of the North Carolina State Bar on Friday, July 28, 2017 at the Renaissance Hotel in Asheville, North Carolina.
- 7. I hereby waive any further notice of the hearing before the Council on my affidavit of surrender. I waive any claim, argument, or assertion that I have not received proper or timely notice of the hearing before the Council on my affidavit of surrender or any other defect in notice. I further waive any and all right or privilege to appear before the Council at that hearing.

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8. I affirm that I have had a full opportunity to seek the advice and counsel of an attorney in filing my Affidavit of Surrender and in waiving any rights set forth herein.
Respectfully submitted, this the 4 day of July 2017.
Christopher Marc O'Neal
Jeniter Stallings, Notary Public of the County of Hespurane, State of North arolina, certify that Christopher Marc O'Neal personally appeared before me this day, was sworn, attested that the pregoing Affidavit is true and accurate of his own personal knowledge, and executed the foregoing Affidavit.
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