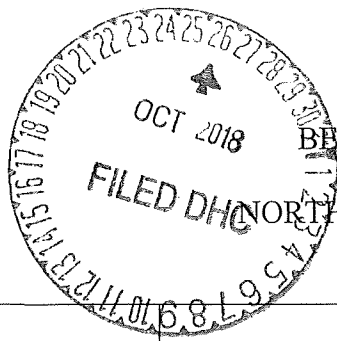


STATE OF NORTH CAROLINA
WAKE COUNTY



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

IN THE MATTER OF THE TENDER
OF SURRENDER OF LICENSE OF
FLETCHER L. HARTSELL, JR.

ORDER OF DISBARMENT

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, Section .0121(a) of the State Bar Discipline & Disability Rules upon tender of an affidavit of surrender of license executed by Fletcher L. Hartsell, Jr. ("Hartsell") on September 18, 2018 and filed in the offices of the North Carolina State Bar on October 22, 2018.


Based upon the affidavit, the Council finds that Hartsell pled guilty to federal and state felony criminal offenses for conduct that is in violation of Rules 8.4(b) and 8.4(c) of the Rules of Professional Conduct, to wit: (1) mail fraud in violation of 18 U.S.C. §§ 1341 and 1342 as charged in Count Six of the Superseding Indictment filed in the United States District Court for the Middle District of North Carolina, Docket Number 1:16CR344-1; (2) filing false tax returns for the year 2010 in violation of 26 U.S.C. § 7206(1) as charged in Counts One and Two of the Indictment filed in the United States District Court for the Middle District of North Carolina, Docket Number 1:16CR392-1; (3) certifying and filing false campaign reports with the North Carolina State Board of Elections in violation of N.C. Gen. Stat. § 163-278.32 as charged in the Indictment filed in the General Court of Justice, Superior Court, Wake County, North Carolina, docket number 16CRS2857. Hartsell's conduct is grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(1) and (2).

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

1. The tender of surrender of license of Fletcher L. Hartsell, Jr. is hereby accepted.
2. Fletcher L. Hartsell, Jr. is hereby DISBARRED from the practice of law in North Carolina.
3. Hartsell shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0128 of the State Bar Discipline & Disability Rules. Hartsell shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0128 of the State Bar Discipline & Disability Rules within ten (10) days of the entry of this order.

4. The administrative fees and costs of this action are taxed against Hartsell.
5. The Disciplinary Hearing Commission entered an order on March 15, 2017 that suspended Hartsell's law license until the conclusion of all disciplinary proceedings and provided he would receive credit for the time he was suspended toward service of any period of suspension or disbarment ultimately imposed. The interim suspension under this order became effective on April 15, 2017, 30 days from the date of service on March 16, 2017. Accordingly, the effective date of the disbarment under this Order is made retroactive to April 15, 2017 and the five-year time period which must pass before Hartsell may apply for reinstatement pursuant to 27 N.C. Admin. Code 1B.0129(a)(2) will be deemed to have begun running on April 15, 2017.

Done and ordered this 26th day of October, 2018.


John M. Silverstein, President
North Carolina State Bar

STATE OF NORTH CAROLINA

WAKE COUNTY



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

AFFIDAVIT TENDERING THE SURRENDER OF THE LICENSE OF
FLETCHER L. HARTSELL, JR.

I, Fletcher L. Hartsell, Jr., being first duly sworn, say:

1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to the provisions of Section .0121 of the North Carolina State Bar Discipline and Disability Rules, 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0121.
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 including allegations that I engaged in certain federal and state felony criminal offenses to which I have pled guilty, to wit: (1) mail fraud in violation of 18 U.S.C. §§ 1341 and 1342 as charged in Count Six of the Superseding Indictment filed in the United States District Court for the Middle District of North Carolina, Docket Number 1:16CR344-1; (2) filing false tax returns for the year 2010 in violation of 26 U.S.C. § 7206(1) as charged in Counts One and Two of the Indictment filed in the United States District Court for the Middle District of North Carolina, Docket Number 1:16CR392-1; (3) certifying and filing false campaign reports with the North Carolina State Board of Elections in violation of N.C. Gen. Stat. § 163-278.32 as charged in the Indictment filed in the General Court of Justice, Superior Court, Wake County, North Carolina, docket number 16CRS2857.
4. I pled guilty to the federal charges identified above on February 17, 2017 and to the state charges identified above on May 19, 2017. I acknowledge that under 27 N.C. Admin. Code 1B.0119 the material facts upon which the conviction is based and the grievance is predicated are deemed conclusively established, and acknowledge that they are true.
5. My resignation is being submitted because I know that if disciplinary charges were predicated upon the criminal charges to which I pled guilty 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, October 26, 2018 at the North Carolina State Bar building in Raleigh, North Carolina.

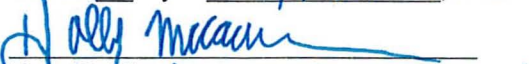
7. I hereby waive any further notice of the hearing before the Council on my affidavit of surrender. I waive any claim, argument, or assertion that I have not received proper or timely notice of the hearing before the Council on my affidavit of surrender or any other defect in notice. I further waive any and all right or privilege to appear before the Council at that hearing.
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 18 day of September, 2018.


Fletcher L. Hartsell, Jr.

I, Holly McCachren, Notary Public of the County of Cabarrus, State of North Carolina, certify that Fletcher L. Hartsell, Jr. 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 18th day of September, 2018.


Notary Public
(print name) Holly McCachren

My commission expires: 12-9-2020

