

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

WAKE COUNTY

FILE NO.: 12 CVS-01903 *Aug 21*

THE NORTH CAROLINA STATE BAR,

Petitioner

v.

SEAN NELSON ROGERS WELLS  
Attorney,

Respondent

WAKE COUNTY, C.S.C.

BY \_\_\_\_\_

CONSENT ORDER  
OF DISBARMENT

THIS MATTER came before the undersigned Judge of the Superior Court of Wake County upon the tender of surrender of his law license by Sean Nelson Rogers Wells.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Respondent, Sean Nelson Rogers Wells (hereinafter "Wells"), the Court makes the following:

#### FINDINGS OF FACT

1. Wells was admitted to the North Carolina State Bar in 2006 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations, and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

2. Wells is aware that there is presently pending an investigation regarding allegations that he is guilty of misappropriation of client funds.

3. Wells desires to resign his license to practice law and has tendered his license to practice law in North Carolina.

4. Wells' resignation is freely and voluntarily rendered. It is not the result of coercion or duress. Wells is fully aware of the implication of submitting his resignation.

5. Wells acknowledges that the material facts upon which the investigation is predicated are true.

6. Wells has submitted his resignation because he knows that if disciplinary charges were predicated upon the misconduct under investigation, he could not successfully defend against them.

Based upon the foregoing Findings of Fact, the court makes the following:

## CONCLUSIONS OF LAW

1. By misappropriating client funds, Wells engaged in criminal acts that reflect adversely on his honesty, trustworthiness or fitness as a lawyer in other respects in violation of Rule 8.4(b) of the Rules of Professional Conduct and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation in violation of Rule 8.4(c) of the Rules of Professional Conduct.

2. Wells' misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2).

3. The courts of this State have the inherent authority to take disciplinary action against attorneys licensed to practice law in North Carolina.

4. This Court has jurisdiction over the person of Sean Nelson Rogers Wells and of the subject matter of this proceeding.

5. Wells has engaged in professional misconduct warranting disbarment.

### IT IS NOW, THEREFORE, ORDERED:

1. Sean Nelson Rogers Wells is DISBARRED from the practice of law in North Carolina. This disbarment is effective upon the entry of this order by the court.

2. Wells shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0124 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 § .0124. Wells has 30 days from the entry of this order to complete the requirements of § .0124.

3. Wells shall not petition for reinstatement of his law license until the expiration of at least five (5) years from the date of entry of this order.

4. Wells' law license shall not be reinstated until he has demonstrated to the satisfaction of the Disciplinary Hearing Commission and the Council of the North Carolina State Bar that he has complied with 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0125.

5. The costs of this action are taxed against Wells.


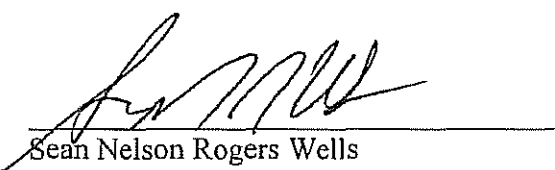
Done and Ordered this 17<sup>th</sup> day of July, 2012.

  
\_\_\_\_\_  
Superior Court Judge Presiding

(signatures of parties on following page)

The North Carolina State Bar v. Sean Nelson Rogers Wells  
12 CVS 01903  
Consent Order of Disbarment

CONSENTED TO BY:

  
\_\_\_\_\_  
Jennifer A. Porter  
Deputy Counsel, North Carolina State Bar  
Attorney for Petitioner  
\_\_\_\_\_  
Sean Nelson Rogers Wells  
Respondent

STATE OF NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE  
FILED SUPERIOR COURT DIVISION  
FILE NO.: 12 CVS 01903

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THE NORTH CAROLINA STATE BAR, WAKE COUNTY, C.S.C. Petitioner	AFFIDAVIT OF SURRENDER OF LAW LICENSE
v. BY	
SEAN NELSON ROGERS WELLS Attorney,  Respondent	

Sean Nelson Rogers Wells, being first duly sworn, deposes and says as follows:

1. I desire to resign and hereby tender my license to practice law in North Carolina.
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 am guilty of misappropriation of client funds, including the funds in excess of my settlement agent fees in the transactions referenced in the affidavit attached to the State Bar's Motion for Temporary Restraining Order and Petition for Preliminary Injunction.
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

This the 14<sup>th</sup> day of July, 2012.

  
Sean Nelson Rogers Wells

I, SANDRA E DRISCOLL, Notary Public of the County of ONSLOW, State of North Carolina, certify that Sean Nelson Rogers Wells personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate to his own personal knowledge, and executed the foregoing Affidavit.

This the 14 day of July, 2012.

Sandra E Driscoll  
Notary Public  
My Commission Expires: April 05 2014

