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2008 DEC 31 AM 9:43

STATE OF NORTH CAROLINA
WAKE COUNTY, C.S. IN THE GENERAL COURT OF JUSTICE
WAKE COUNTY SUPERIOR COURT DIVISION
FILE NO.: 08 CVS 16228

BY _____	
THE NORTH CAROLINA STATE BAR,	
Petitioner	
v.	CONSENT ORDER OF DISBARMENT
KEVIN J. STRICKLAND, Attorney,	
Respondent	

THIS MATTER came before the undersigned Judge of the Superior Court of Wake County upon the tender of surrender of his law license by Kevin J. Strickland.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Respondent, Kevin J. Strickland (hereinafter "Strickland"), the Court makes the following:

FINDINGS OF FACT

1. Strickland was admitted to the North Carolina State Bar in 2001 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. During all of the periods relevant hereto, Strickland was engaged in the practice of law in Burgaw, Pender County, North Carolina.
3. Strickland is aware that there is presently pending an investigation regarding allegations that he is guilty of misappropriation of client funds, including sellers' proceeds from real estate transactions in the amount of at least \$1,623,832.60.
4. Strickland desires to resign his license to practice law and has tendered his license to practice law in North Carolina.
5. Strickland's resignation is freely and voluntarily rendered. It is not the result of coercion or duress. Strickland is fully aware of the implication of submitting his resignation.
6. Strickland acknowledges that the material facts upon which the investigation is predicated are true.

7. Strickland 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, Strickland 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 Revised Rules of Professional Conduct and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation in violation of Rule 8.4(c) of the Revised Rules of Professional Conduct.

2. Strickland's 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 Kevin J. Strickland and of the subject matter of this proceeding.

5. Strickland has engaged in professional misconduct warranting disbarment.

IT IS NOW, THEREFORE, ORDERED:

1. Kevin J. Strickland is **DISBARRED** from the practice of law in North Carolina. This disbarment is effective upon the entry of this order by the court.

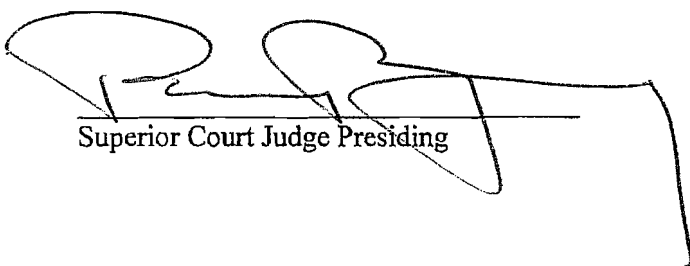
2. Strickland shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0124 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0124. Strickland has been given the time to wind down his law practice prior to entry of this disbarment order; accordingly, his affidavit of compliance with the provisions of Section .0124 is due to the State Bar within 10 days of the filing of this order.

3. Strickland 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. Strickland's 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.

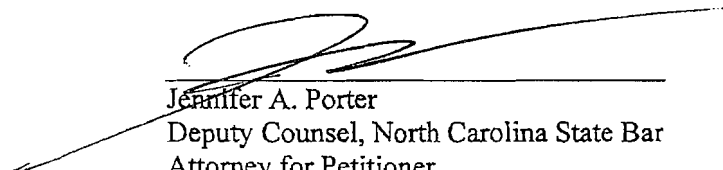
5. The costs of this action are taxed against Strickland.

Done and Ordered this 31st day of December, 2008.




Superior Court Judge Presiding

CONSENT TO BY:



Jennifer A. Porter
Deputy Counsel, North Carolina State Bar
Attorney for Petitioner



Kevin J. Strickland
Respondent

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THE NORTH CAROLINA STATE BAR,

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KEVIN J. STRICKLAND, Attorney,

Respondent

AFFIDAVIT OF SURRENDER OF
LAW LICENSE

Kevin J. Strickland, being first duly sworn, deposes and says as follows:

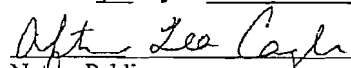
1. I desire to resign and hereby tender my license to practice law in North Carolina.
2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation.
3. I am aware that there is presently pending an investigation regarding allegations that I am guilty of misappropriation of client funds, including sellers' proceeds from real estate transactions in an amount of at least \$1,623,832.60.
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 10th day of December, 2008.


Kevin J. Strickland

I, AFTON LEA CAGLE, Notary Public of the County of Pender, State of North Carolina, certify that Kevin J. Strickland 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 10th day of December, 2008.


Notary Public
My Commission Expires: 02/12/2013

