

NORTH CAROLINA
WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
17G0380

IN THE MATTER OF)	
)	REPRIMAND
CORRY J. BRANNEN,)	
ATTORNEY AT LAW)	

On April 19, 2018 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by the North Carolina State Bar. The grievance was assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of this matter.

Pursuant to Section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Subcommittee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Subcommittee found probable cause. Probable cause is defined in the rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required, and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, a reprimand, or a censure to the respondent attorney.

A reprimand is a written form of discipline more serious than an admonition issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused harm or potential harm to a client, the administration of justice, the profession, or a member of the public, but the misconduct does not require a censure.

The Grievance Committee was of the opinion that a censure is not required in this case and issues this reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand.

In 2016, your cousin was indicted in New York State for attempted murder and several other serious felonies. He fled New York and travelled to North Carolina, where he stayed with another relative in Charlotte. You saw your cousin while he was in Charlotte and knew he was staying at the other relative's home. The U.S. Marshals Service subsequently interviewed you in connection with its fugitive investigation into your cousin. During the interview, you made

several false statements to the Marshals, including denying that your cousin had ever been to the Charlotte area. Immediately after the interview, you alerted the occupants of the residence where your cousin was staying that the Marshals would likely be arriving to look for him. Your actions involved dishonesty, deceit, and misrepresentation in violation of Rule 8.4(c) and were prejudicial to the administration of justice in violation of Rule 8.4(d). Although this misconduct raises serious questions about your judgment, the Committee determined that reprimand was the appropriate discipline due to: (a) your lack of prior discipline, (b) your compliance with the terms of a deferred prosecution agreement with federal authorities, and (c) the fact that the misconduct occurred under exceptional circumstances that are extremely unlikely to recur.

You are hereby reprimanded by the North Carolina State Bar for your professional misconduct. The Grievance Committee trusts that you will heed this reprimand, that it will be remembered by you, that it will be beneficial to you, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession.

In accordance with the policy adopted July 23, 2010 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any attorney issued a reprimand by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this the 14th day of May, 2018.


DeWitt "Mac" McCarley, Chair
Grievance Committee

DM/lb