

NORTH CAROLINA
WAKE COUNTY.

5870

BEFORE THE COUNCIL OF THE
NORTH CAROLINA STATE BAR

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IN THE MATTER OF
ARTHUR VANN, III,
Attorney at Law,
Durham, North Carolina

ORDER

THIS CAUSE came on for consideration by the Council of The North Carolina State Bar at its quarterly meeting on Friday, April 13, 1979, in The State Bar Offices, 208 Fayetteville Street Mall, Raleigh, North Carolina, upon the report of a Special Committee appointed by the Council of The North Carolina State Bar at its regular quarterly meeting on Thursday, October 19, 1978, in Pinehurst, North Carolina, to study the facts of this situation and make recommendations to the Council; and as appears from a sworn affidavit of Arthur Vann, III, and oral representations made to the Committee by Mr. Vann, III and Mr. Arthur Vann, Jr., the Council finds the following facts:

1. That Arthur Vann, III was duly licensed to practice law in the Courts of the State of North Carolina in 1973.

2. That Arthur Vann, III has been engaged in the general practice of law in North Carolina since September 19, 1973.

3. That on February 8, 1979, Arthur Vann, III tendered a plea of guilty to eleven (11) counts of forgery in the General Court of Justice, Superior Court Division, Durham County, North Carolina, which plea was accepted by the Court. That the judgment of the Court was that the defendant Vann be imprisoned for a term of three (3) years, said sentence suspended for three (3) years subject to certain conditions, one of which that he not practice law in the State of North Carolina any time during the period of suspension of probation whether licensed or not.

4. That prior to said conviction Arthur Vann, III tendered and surrendered his license to practice law on October 11, 1978; that with the surrender of his license, Mr. Vann submitted an affidavit stating that the tender was freely and voluntarily made, that it did not result from any coercion or duress and that he was fully aware of the implications of submitting the tender of his license.

5. That at the meeting of The North Carolina State Bar Council on Thursday, October 19, 1978, in Pinehurst, North Carolina, the President referred the matter to the aforementioned Special Committee. That on March 9, 1979, the Special Committee convened and met with Mr. Arthur Vann, Jr.,

father of Arthur Vann, III, and Mr. Arthur Vann, III. At said meeting Mr. Vann, III consented to answer numerous questions propounded by the members of the Committee concerning the tender of his license and his plea of guilty of various counts of forgery. The Committee also heard and considered the statement of Arthur Vann, III, and heard and considered statements of his father, Arthur Vann, Jr. In addition, the Committee considered various Court documents concerning Mr. Vann's plea of guilty of forgery and Mr. Vann presented various character letters and related documents and offered an excerpt of evidence presented subsequent to the enter of his plea of guilty on February 8, 1979.

6. The Special Committee's recommendation is that Arthur Vann, III be disbarred.

After giving full consideration to the facts found by the Council in this case, based upon the affidavit of Arthur Vann, III and the oral representation and documentation submitted to the Special Committee, the Council concludes that Arthur Vann, III's misconduct is a violation of Section DR 1-102(A)(3)(4) and upon motion duly made and seconded, the Council:

RESOLVED, that the resignation of Arthur Vann, III and the tender of his license to practice law be accepted as of October 11, 1978 and that he be disbarred from the practice of law in North Carolina.

BE IT FURTHER RESOLVED, that Arthur Vann, III be taxed with the costs of this proceeding; and

BE IT FURTHER RESOLVED, that the President is authorized and directed to enter an appropriate Order.

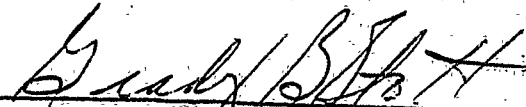
Pursuant to the Resolution adopted by the Council of The North Carolina State Bar; it is ORDERED:

1. That effective October 11, 1978, Arthur Vann, III be and he is hereby disbarred from the practice of law in North Carolina.

That a copy of this Order be forwarded to the General Court of Justice of the State of North Carolina and to the appropriate authorities of the United States Federal Courts in the State of North Carolina.

Done at Raleigh, North Carolina, pursuant to the Resolution duly adopted by the Council of The North Carolina State Bar on April 13, 1979.

This the 24th day of April, 1979.


Grady B. Stott, President
The North Carolina State Bar