

NORTH CAROLINA
WAKE COUNTY

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

IN THE TENDER OF SURRENDER OF)
LICENSE OF)

ORDER OF DISBARMENT

LARRY THOMAS BLACK, Attorney)

This matter came on to be heard and was heard by the Council of the North Carolina State Bar pursuant to §17 of Article IX of the Rules and Regulations of the North Carolina State Bar, upon an affidavit of tender of license pursuant to §17(2)(A) executed by Larry Thomas Black. Based upon the affidavit of Larry Thomas Black, the Council of the North Carolina State Bar makes the following Findings of Fact:

1. There was a pending investigation before the North Carolina State Bar into allegations of misconduct by Larry Thomas Black.
2. The allegations of misconduct involved Mr. Black's failure to perfect the appeal of a client's case and Mr. Black's failure to refund to his client the unearned portion of attorney's fee received from the client.
3. Mr. Black freely and voluntarily tendered the surrender of his license by an affidavit dated April 14, 1988. The tender of his resignation is not the result of coercion or duress. Mr. Black is fully aware of the implications of submitting his resignation.
4. Mr. Black submits his resignation because he knows that if charges were predicated upon the misconducts under investigation, he could not successfully defend against the charges and he further acknowledges that the material facts upon which the investigation is based are true.

BASED UPON the foregoing Findings of Fact, the Council of the North Carolina State Bar makes the following Conclusions of Law:

1. The affidavit of Larry Thomas Black to tender his license complies with §17 of Article IX of the Rules and Regulations of the North Carolina State Bar and the affidavit should be accepted.

2. Mr. Black's conduct violates Rules 6(B)(1)(2)(3), 7.1(A)(1)(2)(3), 2.8(A)(3), and 10.2(E) of the North Carolina Rules of Professional Conduct.

THEREFORE, upon a motion duly made and seconded, the Council orders:

1. The tender of the license of Larry Thomas Black is accepted.
2. Larry Thomas Black is DISBARRED from the practice of law in North Carolina.
3. Larry Thomas Black shall surrender his license and membership card to the Secretary of the North Carolina State Bar, if such action has not been taken.
4. Larry Thomas Black is taxed with the cost of this action.

Ordered this the 15th day of July, 1988.

James Y. Preston

James Y. Preston, President
The North Carolina State Bar