



SUPREME COURT OF GEORGIA

Case No. S99Y1180.

Atlanta September 14, 1999

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

IN THE MATTER OF JACKSON L. CULBRETH

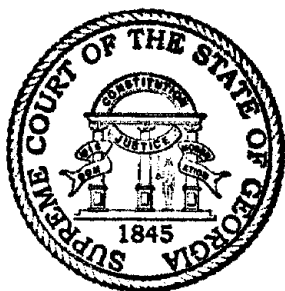
This disciplinary proceeding is before the Court on Culbreth's Petition for Voluntary Discipline in which Culbreth admits violating Standard 4 (professional conduct involving dishonesty, fraud, deceit or wilful misrepresentation) of Bar Rule 4-102 (d) and seeks imposition of a Review Panel reprimand. The State Bar recommends acceptance of the petition.

Culbreth filed his Petition for Voluntary Discipline pursuant to Bar Rule 4-227 (b) (2) prior to the State Bar's issuance of a Formal Complaint. His violation of Standard 4 of Bar Rule 4-102 (d) arose from his representation of a client in the sale of a grocery store through a broker. Other individuals involved in the sales transaction structured the closing to conceal material information from, and thereby aid in a fraudulent scheme against, the bank, the lender, and the Small Business Administration. In mitigation of his admitted violation of Standard 4, Culbreth shows that he cooperated fully with the United States Attorney during the federal investigation of the scheme, including testifying before the grand jury and at the broker's trial, and received immunity in connection with the criminal matter; has 27 years of experience practicing law; has no prior disciplinary record; did not act out of selfish motives and did not receive any more for his fee than he would have if the deal had not closed; has cooperated fully with disciplinary authorities; admits that he acted unethically but asserts that his

motivation in proceeding with the transaction was based on his client's desperate circumstances; and has suffered tremendous anxiety, remorse, shame, and self-recrimination for his actions. The State Bar does not dispute the mitigating factors noted by Culbreth.

We have reviewed the record and agree with the State Bar that we accept Culbreth's Petition for Voluntary Discipline. Accordingly, it is hereby ordered that the Review Panel administer a Review Panel reprimand declaring Culbreth's conduct to be improper. Bar Rule 4-102 (b) (4).

All the Justices concur, except Hunstein, J., who dissents.



SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from
the minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto
affixed the day and year last above written.

 , Chief Deputy Clerk