
 OCT 2008
 FILED
 DHC

THE NORTH CAROLINA STATE BAR,
Plaintiff

v.

RALPH EDWARD McLAURIN, Jr., Attorney,
Defendant

This matter was presented to the hearing committee of the Disciplinary Hearing Commission composed of Sharon B. Alexander, Chair; Harriet T. Smalls; and Michael J. Houser that was assigned to hear this matter; with A. Root Edmonson representing the North Carolina State Bar and Thomas H. Stark representing the defendant; and based upon the consent of the parties, the record in this matter and the medical information provided, the hearing committee enters the following:

1. The plaintiff, the North Carolina State Bar, is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar promulgated thereunder.

3. During the times relevant to the Complaint, McLaurin actively engaged in the private practice of law in the State of North Carolina and was a partner or shareholder in the firm of Holmes & McLaurin in the city of Pittsboro, Chatham County, North Carolina.

4. The complaint was filed in this matter on August 30, 2005. Service of that complaint was accepted on October 20, 2005. An amended complaint was filed and served upon the defendant on January 3, 2006.

5. On February 3, 2006, the plaintiff filed and served Requests for Admissions and also served Plaintiff's Interrogatories to Defendant and Requests for Production of Documents on the defendant (collectively referred to hereafter as "discovery requests").

6. By consent order entered on March 23, 2006, the defendant was given time to seek counseling prior to filing an answer to the amended complaint and responses to the discovery served upon him by the State Bar. In that order, the defendant agreed not to practice law until after conclusion of this proceeding.

7. The time for the defendant to file his answer and responses to the discovery requests was extended on one or more occasions prior to an order being entered on August 7, 2008 requiring the defendant to file a responsive pleading to the amended complaint by August 18, 2008, a date that was extended by agreement of counsel for the North Carolina State Bar to September 2, 2008. Counsel also agreed to extend the time for the defendant's responses to the discovery requests to September 2, 2008.

8. By letter dated August 27, 2008, James H. Hilkey, Ph. D., a licensed practicing psychologist, diagnosed the defendant as suffering from a Major Depressive Disorder that impairs his ability to exercise professional judgment and competence which significantly impairs his performance as an attorney.

Based upon the foregoing Findings of Fact, the hearing committee makes the following:

CONCLUSIONS OF LAW

1. All parties are properly before the hearing committee, and the committee has jurisdiction over the defendant and the subject matter of this proceeding.

2. The defendant is disabled within the meaning of 27 N.C.A.C. 1B, § .0103(19), and the defendant should be transferred to disability inactive status pursuant to 27 N.C.A.C. 1B, § .0118(c).

BASED UPON the foregoing Findings of Fact and Conclusions of Law, the hearing committee hereby enters the following:

ORDER TRANSFERRING THE DEFENDANT TO DISABILITY INACTIVE STATUS

1. The defendant, Ralph Edward McLaurin, Jr., is hereby transferred to disability inactive status.

2. The defendant shall refrain from practicing law in North Carolina until reinstated to active status pursuant to 27 N.C.A.C. 1B, § .0125(c).

3. All pending claims for relief against the defendant, as well as any grievances, are hereby stayed until such time as the defendant returns to active status.

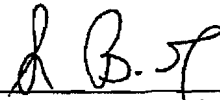
4. The defendant will have thirty (30) days from the date that an order transferring the defendant to active status is filed to file an answer to the amended complaint in this matter and to respond to the discovery requests.

5. Thomas H. Stark, counsel for the defendant, is granted leave to withdraw upon execution of this order. Defendant shall provide his address to Mr. Edmonson.

6. The defendant is taxed with the costs of this action.

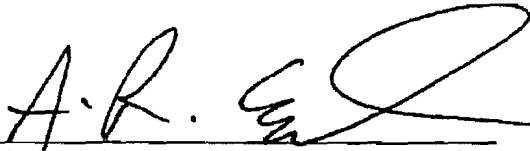
Signed by the Chair with the consent members of the other hearing committee this the

03 day of October, 2008.

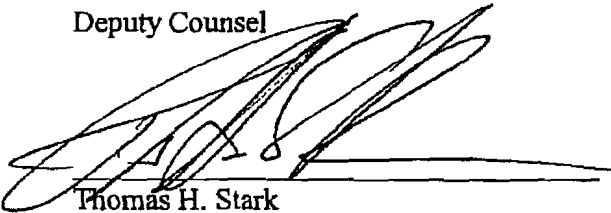


Sharon B. Alexander, Chair
Hearing Committee

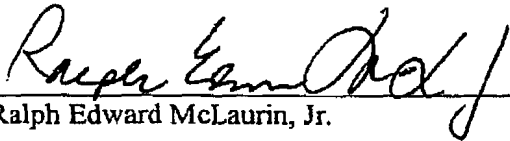
WE CONSENT:



A. Root Edmonson
Deputy Counsel



Thomas H. Stark
Counsel for the Defendant



Ralph Edward McLaurin, Jr.