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NORTH CAROLINA
WAKE COUNTY

BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
89 BCS 1

IN THE MATTER OF THE
TENDER OF LICENSE OF:

R. LEWIS RAY

ORDER OF DISBARMENT

This matter came on to be heard and was heard by the Council of the North Carolina State Bar pursuant to Sec. 17 of Article IX of the Discipline and Disbarment Procedures of the North Carolina State Bar, upon an affidavit of tender of license pursuant to Sec. 17(2)(a) executed by R. Lewis Ray on October 19, 1989. Based upon the affidavit of R. Lewis Ray, the Council of the North Carolina State Bar makes the following Findings of Fact:

1. There is a pending disciplinary proceeding before the Disciplinary Hearing Commission of the North Carolina State Bar captioned North Carolina State Bar v. R. Lewis Ray, 89 DHC 16.
2. The allegations of misconduct involve Ray's defalcations of misappropriations from six estates whereby he served as attorney.
3. Ray rendered freely and voluntarily his resignation by affidavit dated October 19, 1989. The tender of his resignation was not the result of coercion or duress. Ray was fully aware of the implications of submitting his resignation.
4. Ray submitted his resignation because he knew that the charges were predicated upon the misconduct which was investigated by the North Carolina State Bar and he could not successfully defend against the charges. Ray further acknowledged that the material facts upon which the complaint was predicated are true.
5. Based upon Ray's admissions in his affidavit, he has engaged in various acts of misconduct, primary of which are the defalcations and appropriations to his own use of funds from several estates.
6. Ray understood that the North Carolina State Bar would consider his tender of surrender of license on Friday, October 20, 1989 and he consented to the Council taking action in the matter. Ray waived further notice of the hearing before the Council.

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 R. Lewis Ray to tender his license complies

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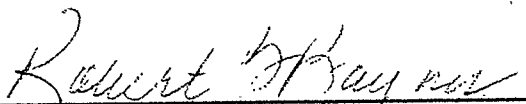
with Sec. 17 of Article IX of the Discipline and Disbarment Procedures of the North Carolina State Bar and the affidavit should be accepted.

2. R. Lewis Ray's defalcations or misappropriations from estate accounts violated Disciplinary Rule 1-102(A)(3)(4) and (6) of the Code of Professional Responsibility; and Rule 1.2(B) and (C) of the Rules of Professional Conduct.

Now, therefore, upon motion duly made and seconded, the Council of the North Carolina State Bar ORDERS that:

1. The tender of the license of R. Lewis Ray is accepted.
2. R. Lewis Ray is DISBARRED from the practice of law in North Carolina.
3. R. Lewis Ray shall surrender his license and membership card to the Secretary of the North Carolina State Bar.
4. The costs of this proceeding are taxed to R. Lewis Ray.

This the 20th day of October, 1989.


Robert G. Baynes, President
The North Carolina State Bar