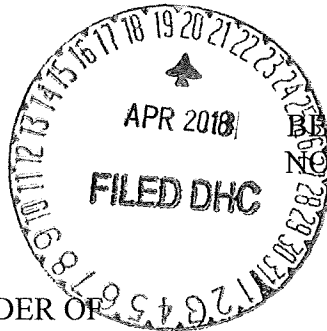


WAKE COUNTY  
NORTH CAROLINA



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

IN RE: TENDER OF SURRENDER OF  
LICENSE OF  
JAMES M. SHELTON

)  
) ORDER OF DISBARMENT

THIS MATTER was heard by the Council of the North Carolina State Bar pursuant to 27 N.C.A.C. 1B §.0121 (a) of the State Bar Discipline and Disability Rules upon the affidavit of surrender of license executed by James M. Shelton on April 12, 2018 and filed in the offices of the State Bar on April 17, 2018.

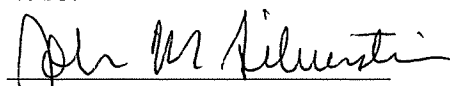
Based on the affidavit, the Council finds that James M. Shelton misappropriated client entrusted funds, made misrepresentations to his client about entrusted funds, and made misrepresentations in response to the State Bar's inquiry about his conduct in violation of Rule 8.4(c) of the Rules of Professional Conduct. This conduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28 (b)(2).

WHEREFORE, upon motion made and duly seconded, the Council enters the following Order:

1. The tender of surrender of the license of James M. Shelton is hereby accepted.
2. James M. Shelton is hereby DISBARRED from the practice of law in North Carolina.
3. James M. Shelton shall comply with the provisions of 27 NCAC 1B § .0128 of the State Bar Discipline and Disability Rules and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by 27 NCAC 1B § .0128(d) of the State Bar Discipline and Disability Rules.
4. The costs of this action are taxed against James M. Shelton.
5. Within 10 days of the date of this Order, James M. Shelton shall provide the State Bar with an address and telephone number at which clients seeking return of files can communicate with James M. Shelton and obtain such files, and James M. Shelton shall promptly return all files to his clients upon request.
6. If James M. Shelton fails to fully comply with 27 NCAC 1B § .0128, he shall reimburse the State Bar for all expenses incurred by the State Bar in winding down his practice. Such expenses to included, but are not limited to, storage facility fees, rent payments, moving expenses, charges for secure disposal of client files, postage or other mailing expense, and compensation paid to a court-appointed trustee and/or

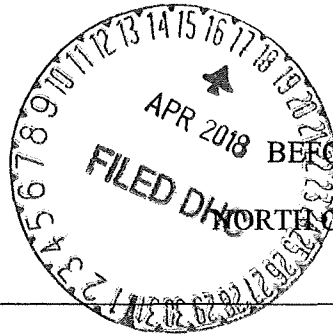
the trustee's assistant for time and travel associated with the trusteeship. The State Bar shall send an invoice for wind-down expenses to James M. Shelton at his last known address of record with the North Carolina State Bar. James M. Shelton shall not be eligible for reinstatement until he has reimbursed the State Bar for all wind-down expenses incurred.

Done and ordered this the 20th day of April, 2018.

  
John M. Silverstein, President  
The North Carolina State Bar

STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE COUNCIL  
OF THE  
NORTH CAROLINA STATE BAR  
18 BCS!

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**AFFIDAVIT OF SURRENDER**

JAMES M. SHELTON, being first duly sworn, deposes and says as follows:

1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to State Bar Discipline & Disability Rule 27 NCAC 1B §.0121.

2. My resignation is freely and voluntarily rendered, and is not the result of coercion or duress. I am fully aware of the implications of submitting my resignation.

3. I am aware that there is a pending investigation by the State Bar into various matters including allegations that I misappropriated in excess of \$4,000 of client entrusted funds and made material misrepresentations to a client and to the State Bar.

4. I acknowledge that the material facts upon which the State Bar's investigation is predicated are true.

5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

6. I understand that the hearing by the Council of the North Carolina State Bar with regard to the acceptance of the tender of surrender of my license to practice law will occur at the regularly scheduled meeting of the Council of the North Carolina State Bar on Friday, April 20, 2018 at the North Carolina State Bar Building, 217 E. Edenton Street, Raleigh, North Carolina 27601.

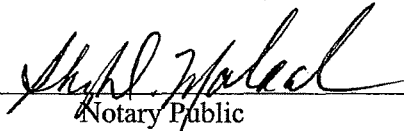
7. I hereby waive any further notice of the hearing before the Council on my affidavit of surrender. I waive any claim, argument, or assertion that I have not received proper or timely notice of the hearing before the Council on my affidavit of surrender or any other defect in notice. I further waive any and all right or privilege to appear before the Council at that hearing.

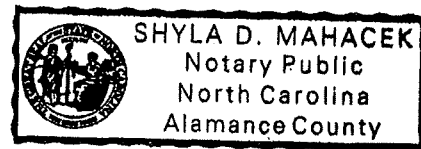
8. I affirm that I have had a full opportunity to seek the advice and counsel of an attorney in making the decision to file this affidavit of surrender and I am fully satisfied with the services of my attorney in this proceeding.

Respectfully submitted, this the 12 day of April, 2018.

  
JAMES M. SHELTON

Sworn to and subscribed before me  
this the 12<sup>th</sup> day of April, 2018.

  
Notary Public



My commission expires: 6-11-22