

WAKE COUNTY
NORTH CAROLINA

9463
BEFORE THE COUNCIL
OF THE NORTH CAROLINA STATE BAR
93 BCR 1

IN RE: APPLICATION FOR REINSTATEMENT
OF LAW LICENSE OF W. TERRY SHERRILL

)
) COUNCIL ORDER
)

THIS MATTER WAS heard before the Council of the North Carolina State Bar pursuant to Art. IX, Section 25 of the Discipline & Disbarment Procedures of the N.C. State Bar on Friday, July 9, 1993. The Petitioner, W. Terry Sherrill, was represented by Fred J. Williams. The N.C. State Bar was represented by Carolin Bakewell. Based upon the record filed in this action, the recommendation of the Disciplinary Hearing Committee, and the arguments of counsel, the Council hereby orders that the license to practice law of the Petitioner, W. Terry Sherrill shall be and hereby is REINSTATED, upon the following conditions:

1. From June 9, 1993 until June 9, 1998, W. Terry Sherrill shall submit to random drug testing at the request of the N.C. State Bar. The drug testing procedure is as follows:

- a. The Counsel of the N.C. State Bar or her designee shall telephone W. Terry Sherrill personally and advise him to submit himself for a drug test within 24 hours.
- b. The Counsel of the N.C. State Bar or her designee shall fill out a Drug Test Notice stating the time and date of the telephone call notifying Sherrill to submit himself for testing. The Notice shall be completed by the individual who actually makes the telephone contact.
- c. The original Drug Test Notice shall be filed with the Disciplinary Hearing Commission and copies will be sent to Open House, Inc. and to Sherrill.
- d. Within 24 hours of receiving the telephone call from the N.C. State Bar, Sherrill shall submit himself for testing to Open House, Inc. in Charlotte.

2. If for any reason Open House, Inc., becomes unable to perform the drug tests required by this Order, another facility will be designated by the N.C. State Bar.

3. Sherrill shall direct Open House, Inc., or the testing facility which performs the drug test, to submit the written result of each test to

the N.C. State Bar.

4. Sherrill shall provide the N.C. State Bar with a current daytime telephone number and his current home telephone number, along with a current address where the Drug Test Notice and other communications may be mailed.

5. All drug testing performed pursuant to this Order shall be done at the expense of W. Terry Sherrill.

6. If any test indicates that W. Terry Sherrill has used illegal drugs or abused controlled substances during the period June 9, 1993 to June 9, 1998, the Counsel will file a motion with the Disciplinary Hearing Commission for an order directing Sherrill to show cause why he should not be disbarred for violating the condition that he remain drug free. The procedure set out Art. IX, section 14(X) of the Discipline & Disbarment Procedures shall be followed to the extent practicable, except that if the Disciplinary Hearing Commission finds that Sherrill used illegal drugs or abused controlled substances, the Commission shall enter an order disbaring Sherrill and Sherrill shall not be eligible to seek reinstatement of his law license for a period of 5 years from the date of the disbarment.

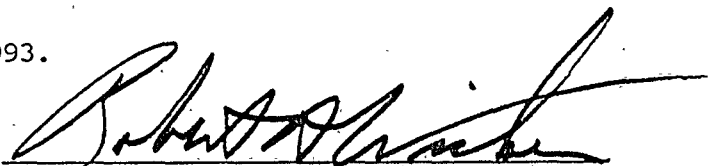
7. Any failure to submit to testing within the time prescribed in this agreement will be considered to be a failed drug test and treated as though it showed use of an illegal drug by Sherrill.

8. The Disciplinary Hearing Committee's order recommending Sherrill's reinstatement suggested as a condition that Sherrill attend 14.5 hours of approved continuing legal education over and above his annual CLE requirement. The parties are satisfied that prior to the entry of this order, Sherrill has satisfied that condition.

9. The costs of this reinstatement proceeding shall be paid by the Petitioner, W. Terry Sherrill.

This the 9th day of July, 1993.

Name per Tame



Robert A. Wicker, President
N.C. State Bar

