

STATE OF NORTH CAROLINA

FILED

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

WAKE COUNTY

2010 MAR 26 P 4:09

FILE NO.: 18 M \_\_\_\_\_

IN THE MATTER OF THE TENDER OF  
SURRENDER OF THE LAW LICENSE  
OFCONSENT ORDER  
OF DISBARMENT

JUNIOUS A. CRUMPLER, III, Attorney

THIS MATTER came before the undersigned Judge of the Superior Court of Wake County upon the tender of surrender of his law license by Junius A. Crumpler, III.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Respondent, Junius A. Crumpler, III (hereinafter "Crumpler"), the Court makes the following:

#### FINDINGS OF FACT

1. Crumpler was admitted to the North Carolina State Bar in September 2006 and is, and was at all times referred to herein, an attorney at law either actively or inactively licensed to practice in North Carolina, subject to the rules, regulations, and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.
2. Crumpler was administratively suspended by the North Carolina State Bar on September 30, 2016 for failure to comply with Continuing Legal Education requirements.
3. Prior to his suspension, Crumpler was engaged in the practice of law in the State of North Carolina and practiced law in Raleigh, North Carolina.
4. Crumpler engaged in the practice of law without an active license to practice law, failed to act with diligence in representing a client, failed to take steps to protect his client's interests, failed to communicate with his client, failed to refund an unearned fee, knowingly and intentionally made false statements and misrepresentations to his client and a tribunal, failed to properly maintain entrusted funds, obtained property by false pretenses, engaged in conduct prejudicial to the administration of justice, and knowingly and intentionally made a material misrepresentation to the State Bar in a disciplinary matter.
5. Crumpler desires to resign his license to practice law and has tendered his license to practice law in North Carolina.

6. Crumpler's resignation is freely and voluntarily rendered. It is not the result of coercion or duress. Crumpler is fully aware of the implication of submitting his resignation.

7. Crumpler acknowledges that the material facts upon which the investigation is predicated are true.

8. Crumpler has submitted his resignation because he knows that if disciplinary charges were predicated upon the misconduct under investigation, he could not successfully defend against them.

Based upon the foregoing Findings of Fact, the court makes the following:

### CONCLUSIONS OF LAW

1. Crumpler's conduct, as set out in the Affidavit of Surrender of Law License and detailed above, constitutes violations of the following Rules of Professional Conduct:

- a. By practicing law without an active license, Crumpler failed to act with diligence and engaged in the unauthorized practice of law in violation of Rule 1.3 and Rule 5.5(a);
- b. By failing to tell his client that he was administratively suspended, Crumpler failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation in violation of Rule 1.4(b);
- c. By taking a client's payment knowing that he could not legally provide the services for which he was being paid, Crumpler obtained property by false pretenses and thereby committed criminal acts that reflect adversely on his honesty, trustworthiness, or fitness in other respects in violation of Rule 8.4(b) and engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation in violation of Rule 8.4(c);
- d. By failing to refund the client's fee and failing to maintain the client's funds in the trust account, Crumpler failed to properly maintain and disburse entrusted funds and improperly disbursed entrusted funds for his own benefit in violation of Rules 1.15-2(a), (j), and (m);
- e. By failing to take steps to protect his client's interests and by representing a client while not actively licensed, Crumpler represented a client where the representation would result in a violation of the Rules of Professional conduct in violation of Rules 1.16(d) and 1.16(a), respectively;
- f. By holding out to court personnel and others that he was licensed to practice law, Crumpler knowingly made a false statement to a tribunal in violation of Rule 3.3, knowingly made a false statement to a third person in violation of Rule 4.1, and engaged in conduct involving dishonesty in violation of Rule 8.4(c);
- g. By holding out to others as able to practice law despite not being actively licensed in this state, Crumpler made a misleading statement regarding the

services he could provide in violation of Rule 7.1(a) and engaged in conduct involving a misrepresentation in violation of Rule 8.4(c);

- h. By practicing law in North Carolina when he was not licensed to do so, in violation of N.C. Gen. Stat. § 84-4 and, pursuant to N.C. Gen. Stat. § 84-8, Crumpler committed a criminal act that reflects adversely on his fitness as a lawyer in violation of 8.4(b);
- i. By falsely claiming to the State Bar during the grievance process that he did not charge and accept a legal fee from the client and that he had made it clear to others that he was not licensed, Crumpler knowingly made false statements in a disciplinary matter in violation of Rule 8.1(a) and engaged in conduct involving dishonesty or misrepresentation in violation of Rule 8.4(c); and
- j. By practicing law in cases currently pending before a District Court in North Carolina without an active license, Defendant engaged in conduct prejudicial to the administration of justice in violation of Rule 8.4(d).

2. Crumpler's misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(1) and (2).

3. The Courts of this State have the inherent authority to take disciplinary action against attorneys practicing therein.

4. This Court has jurisdiction over the person of Junius A. Crumpler, III and of the subject matter of this proceeding.

5. Crumpler has engaged in professional misconduct warranting disbarment.

**IT IS NOW, THEREFORE, ORDERED:**

1. Junius A. Crumpler, III is **DISBARRED** from the practice of law in North Carolina.

2. Crumpler shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0128 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0128. Crumpler shall have thirty (30) days from the date of the entry of this order to complete the requirements of § .0128.

3. Crumpler shall not petition for reinstatement of his law license until the expiration of at least five (5) years from the date of this order.

4. Crumpler's law license shall not be reinstated until he has demonstrated to the satisfaction of the Disciplinary Hearing Commission and the Council of the North Carolina State Bar that he has complied with 27 N.C. Admin. Code Chapter 1,

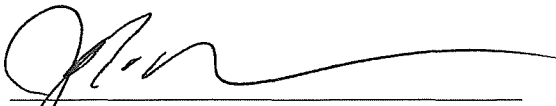
Subchapter B, Section .0129 and with any Continuing Legal Education or other administrative requirements.

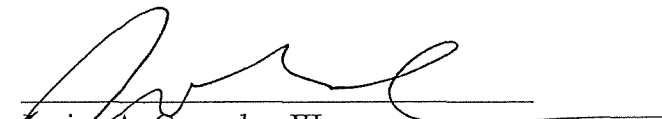
5. The costs of this action are taxed against Crumpler.

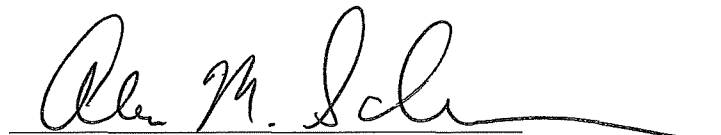
Done and Ordered this 26<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
Superior Court Judge Presiding

CONSENTED TO BY:

  
\_\_\_\_\_  
Joshua T. Walthall  
Deputy Counsel

  
\_\_\_\_\_  
Junius A. Crumpler, III

  
\_\_\_\_\_  
Alan M. Schneider  
Counsel for Junius A. Crumpler, III

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

WAKE COUNTY

FILED

FILE NO.: 18M

IN THE MATTER OF THE TENDER OF  
SURRENDER OF THE LAW LICENSE OF

AFFIDAVIT OF  
SURRENDER OF  
LAW LICENSE

JUNIS A. CRUMPLER, III, Attorney

WAKE COUNTY, C.S.C.

I, Junius A. Crumpler, III, being first duly sworn, say as follows:

1. I desire to resign and hereby tender my license to practice law in North Carolina.
2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation.
3. I am aware that there is presently pending an investigation regarding allegations that I, among other violations, engaged in the practice of law without an active license to practice law, failed to act with diligence in representing a client, failed to take steps to protect his client's interests, failed to communicate with his client, failed to refund an unearned fee, knowingly and intentionally made false statements and misrepresentations to his client and a tribunal, failed to properly maintain entrusted funds, obtained property by false pretenses, engaged in conduct prejudicial to the administration of justice, and knowingly and intentionally made a material misrepresentation to the State Bar in a disciplinary matter.
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. I am submitting my resignation because I know that if charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

Respectfully submitted, this the 9th day of March 2018.

Junius A. Crumpler, III

I, Cheyenne Merrigan, Notary Public of the County of Wake, State of North Carolina, certify that Junius A. Crumpler, III personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of his own personal knowledge, and executed the foregoing Affidavit.

This the 9th day of March, 2018.

Notary Public

(print name) Cheyenne Merrigan

My commission expires: 8/19/19

