

NORTH CAROLINA

WAKE COUNTY

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

IN THE MATTER OF THE TENDER)	
OF SURRENDER OF LICENSE)	ORDER OF DISBARMENT
OF RAYMOND A. MCALLISTER JR.)	

THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, Rule .0117 of the Discipline & Disability Rules of the North Carolina State Bar upon an affidavit of tender of license pursuant to Rule .0117(a) executed by Raymond A. McAllister, Jr., and filed in the offices of the North Carolina State Bar on Jan. 2, 1996.

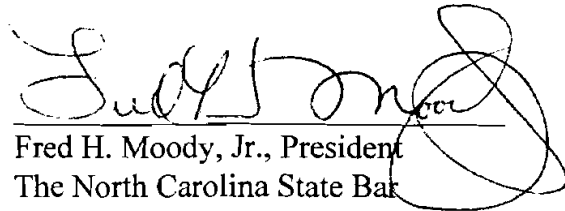
Based upon the affidavit, the Council finds that Raymond A. McAllister, Jr.'s conduct of misappropriating client funds, making false representations to clients about their cases, neglecting client matters and failing to respond to a formal disciplinary inquiry of the N.C. State Bar, is grounds for discipline pursuant to N.C. Gen. Stat. Section 84-28(b)(2) in that Raymond A. McAllister, Jr., has thereby violated Rules 1.2(b), 1.2(c), 1.1(b), 6(b)(3) and 7.2(a)(4) of the Rules of Professional Conduct.

WHEREFORE, upon Motion being duly made and seconded, the Council enters the following order:

1. The tender of surrender of license of Raymond A. McAllister, Jr., is hereby accepted.
2. Raymond A. McAllister, Jr., is hereby DISBARRED from the practice of law in North Carolina, effective Jan. 12, 1996.
3. Raymond A. McAllister, Jr., shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Rule .0124 of the Discipline & Disability Rules of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina, along with the affidavit required by Rule .0124.

4. The costs of this action are hereby taxed against Raymond A. McAllister, Jr.

Done and ordered this the 12th day of January, 1996.



Fred H. Moody, Jr., President
The North Carolina State Bar

NORTH CAROLINA

WAKE COUNTY

AFFIDAVIT

TO: THE COUNCIL OF THE NORTH CAROLINA STATE BAR

I, Raymond A. McAllister, Jr., hereby tender my license to practice law and desire to resign from the North Carolina State Bar. My resignation is tendered freely and voluntarily, is not the result of coercion or duress and I am fully aware of the implications of submitting the resignation.

I am aware that there are presently pending investigations or other proceedings regarding allegations that I have been guilty of misconduct, to wit:

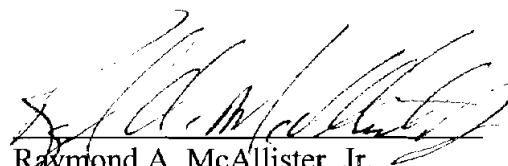
That I misappropriated \$4,600 of funds belonging to Florence Matthews, without her knowledge or consent.

That I made false representations to Audrey M. Cooper about the status of her child support action, neglected her case and failed to return the unearned portion of the \$1,095 fee which she paid to me. I also failed to respond to formal inquiries of the N.C. State Bar and the local grievance committee respecting Ms. Cooper's grievance.

That I permitted the statute of limitations to expire in a medical malpractice case which I was handling for Mildred Ingram. In July 1994, I told Ms. Ingram that the malpractice claim was on appeal and that a decision could be expected shortly, when I knew that I had not perfected the appeal. In August 1994, I entered a settlement agreement with Ms. Ingram in which I agreed to continue to defend the lawsuit pending against Ms. Ingram by the hospital. I did not reveal that summary judgment had been entered against Ms. Ingram in favor of the hospital in January 1994.

I acknowledge that the material facts upon which these complaints are predicated are true. 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.

This the 2nd day of January, 1996.


Raymond A. McAllister, Jr.

Sworn to and subscribed before me

This the 2nd day of January, 1996.

Debra P. Halland
Notary Public

My commission expires: 3/28/99