

NORTH CAROLINA

1. The first step is to identify the problem.
 2. The second step is to define the problem.
 3. The third step is to analyze the problem.
 4. The fourth step is to develop a solution.
 5. The fifth step is to implement the solution.
 6. The sixth step is to evaluate the solution.
 7. The seventh step is to monitor the solution.
 8. The eighth step is to maintain the solution.
 9. The ninth step is to improve the solution.
 10. The tenth step is to document the solution.

WAKE COUNTY

1307 JAN 20 AM 9: 42

U.S. FILES, SEC.
STATE DEPT.

BEFORE THE

DISCIPLINARY HEARING COMMISSION
OF THE

NORTH CAROLINA STATE BAR

86 DHC 12

IN THE MATTER OF THE TENDER,
OF SURRENDER OF LICENSE OF

ORDER OF DISCIPLINE

PETER HARRY GERNS

This matter coming on to be heard and being heard on January 2, 1987 before a hearing committee composed of Frank B. Wyatt, Chairman, John G. Shaw, and Donald L. Osborne; with R. Cartwright Carmichael representing Peter H. Gerns and A. Root Edmonson representing the North Carolina State Bar; and

Pursuant to Section 17 of Article IX of the Rules and Regulations of the North Carolina State Bar, Peter H. Gerns filed an affidavit subscribed on October 13, 1986 surrendering his license to practice law and requesting a hearing before the Disciplinary Hearing Commission for the purpose of determining the appropriate discipline; and it appears that the Secretary of the Disciplinary Hearing Commission has referred this matter to the Disciplinary Hearing Commission for hearing upon the discipline to be imposed.

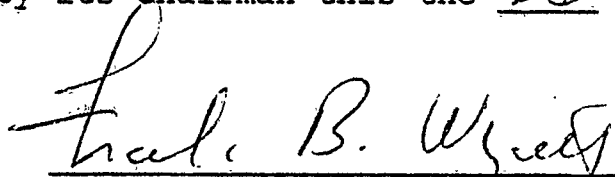
Based upon said affidavit and the evidence offered at said hearing by both parties, the Hearing Committee finds that Peter H. Gerns was convicted of one count of embezzlement and one count of perjury in the September 15, 1986 term of Superior Court of Mecklenburg County arising out of his dealings with Paul Dean, a ward for whom Gerns was acting as guardian.

The Hearing Committee concludes that these were criminal offenses showing professional unfitness.

Based upon the admissions contained in the affidavit of surrender and the conclusions drawn therefrom, and having given due consideration to all of the evidence offered by both parties, the Hearing Committee enters the following ORDER OF DISCIPLINE.

1. PETER HARRY GERNS is hereby DISBARRED from the practice of law in North Carolina.
2. PETER HARRY GERNS is to comply with the provisions of Section 24 of Article IX of the Rules and Regulations of the North Carolina State Bar.
3. PETER HARRY GERNS is taxed with the costs of this proceeding as certified by the Secretary of the North Carolina State Bar.

Signed with the full consent of the other members of the Hearing Committee by its Chairman this the 26th day of January, 1987.



Frank B. Wyatt, Chairman