

STATE OF NORTH CAROLINA

BEFORE THE GRIEVANCE  
COMMITTEE OF THE  
NORTH CAROLINA STATE BAR

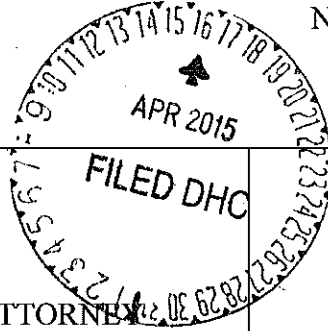
WAKE COUNTY

12G1094 and 14G0190

IN RE:

JESSE B. ROUSE, III, ATTORNEY

CONSENT ORDER  
TRANSFERRING ATTORNEY  
TO DISABILITY  
INACTIVE STATUS



This matter is before the undersigned Chairperson of the North Carolina State Bar's Grievance Committee pursuant to 27 N.C. Admin. Code 1B §.0118(b), with Jennifer A. Porter and Barry S. McNeill representing the North Carolina State Bar and Dudley A. Witt representing Jesse B. Rouse, III. Based upon facts received from the member and with the consent of the member and the counsel, the undersigned makes the following:

#### FINDINGS OF FACT

1. The North Carolina State Bar is a body duly organized under the laws of North Carolina and is the proper party to consent to this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar promulgated thereunder.
2. Member, Jesse B. Rouse, III ("Rouse"), was admitted to the North Carolina State Bar in 1983, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.
3. Rouse actively engaged in the practice of law in the State of North Carolina and maintained a law office in Fayetteville, North Carolina.
4. There are currently pending two grievance concerning Rouse, 12G1094 and 14G0190
5. These grievances have not yet been considered by the Grievance Committee.

6. During the State Bar's investigation of these grievances, Rouse presented the State Bar with letters from his treating medical provider, Leonardo Figueroa, M.D.

7. Dr. Figueroa states Rouse has been a patient with Dr. Figueroa's practice for over ten years, and has been diagnosed with several chronic medical problems, including coronary artery disease, hypertension, diabetes, dyslipidemia (high cholesterol), obstructive sleep apnea, atrial fibrillation, gout, kidney disease, and degenerative joint disease. Rouse has undergone repeat cardiac stenting and increased clinic visits. Rouse has begun to experience syncopal (fainting) and presyncopal (dizziness preceding fainting) episodes.

8. Rouse has a past medical history including: coronary artery disease, status post coronary artery by-pass, chronic atrial fibrillation, hypertension, obstructive sleep apnea, ischemic cardiomyopathy, chronic obstructive pulmonary disease, anemia, and congestive heart failure. Due to the before mentioned medical conditions, Rouse experiences the following symptoms: pain, fatigue, nausea, fainting, dizziness and periods of breathing difficulty.

9. Due to his medical conditions and symptoms, Dr. Figueroa expresses the opinion that Rouse cannot perform the duties of an attorney effectively at this time.

10. Rouse currently suffers from medical conditions which significantly impair his professional judgment, performance, or competence as an attorney.

11. Rouse consents to being transferred to disability inactive status.

BASED UPON the foregoing Findings of Fact, and with the consent of the member and the counsel, the undersigned makes the following:

#### CONCLUSIONS OF LAW

1. Pursuant to 27 N.C. Admin. Code 1B §.0118(b), the proper parties have consented to Rouse being transferred to disability inactive status.

2. Rouse is disabled within the meaning of 27 N.C. Admin. Code 1B §.0103(19).

THEREFORE, it is hereby ORDERED:

1. Jesse B. Rouse, III is transferred to disability inactive status.

2. Rouse shall refrain from practicing law in North Carolina unless and until returned to active status pursuant to 27 N.C. Admin. Code 1B §.0125(c).

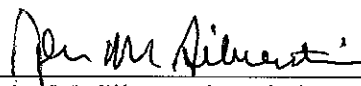
3. Within 15 days of the effective date of this Order Rouse shall provide the State Bar with an address and telephone number at which clients seeking return of files can communicate with Rouse and obtain such files.

4. Rouse shall promptly return client files to clients upon request, within 5 days of receipt of such request. Rouse will be deemed to have received any such request 3 days after the date such request is sent to Rouse if the request is sent to the address Rouse provided the State Bar pursuant to the preceding paragraph.

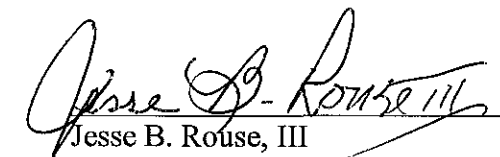
5. Any failure by Rouse to return a requested client file that has not been remedied by the date on which Rouse files any petition for reinstatement shall be taken into consideration in determining whether Rouse has met his burden of proving by clear, cogent, and convincing evidence that he is no longer disabled and is fit to resume the practice of law.

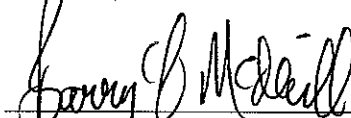
6. Investigation or action on any Petition for Resolution of Disputed Fee or Grievance pending as of the date of this order or received after the date of this order is hereby abated unless and until Rouse is reinstated to active status. Should Rouse be reinstated to active status, investigation or action on any abated Petition for Resolution of Disputed Fee or Grievance shall resume.

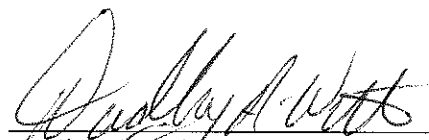
This the 16<sup>th</sup> day of April 2015.

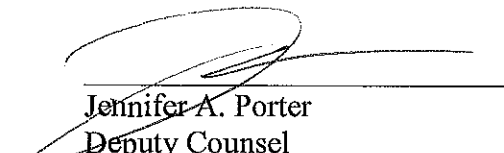
  
John M. Silverstein, Chair  
Grievance Committee  
North Carolina State Bar

CONSENTED TO:

  
Jesse B. Rouse, III  
Member, North Carolina State Bar

  
Barry S. McNeill  
Deputy Counsel  
North Carolina State Bar

  
Dudley A. Witt  
Attorney for Member

  
Jennifer A. Porter  
Deputy Counsel  
North Carolina State Bar