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NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE OF THE
NORTH CAROLINA STATE BAR
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IN RE: JOHN CLOUD,
ATTORNEY AT LAW

ORDER OF RECIPROCAL DISCIPLINE

Pursuant to the authority vested in me as Chair of the Grievance Committee of the North Carolina State Bar by Art. IX, Sections 5(A)(12) and 16(B) of the Discipline & Disbarment Rules of the N.C. State Bar and based upon the record in this matter, the undersigned finds as follows:

1. On Oct. 8, 1992, the Virginia State Bar held a disciplinary hearing to determine whether John M. Cloud had violated one or more provisions of the Virginia Code of Professional Responsibility regarding Cloud's representation of Louis Foy in a collection matter.

2. Following the hearing on Oct. 8, 1992, the Virginia State Bar entered an order which found that Cloud neglected Foy's case in violation of DR 6-101(B), failed to supervise nonlawyer personnel in violation of DR 3-104(D), and misrepresented the status of Foy's case to Foy and to a representative of the Virginia State Bar, in violation of DR 1-102(A)(4).

3. On or about April 8, 1993, a Notice of Reciprocal Discipline was mailed to Cloud by certified mail, return receipt requested, directing him to show cause within 30 days of service regarding any grounds why the identical discipline should not be imposed upon him by the N.C. State Bar.

4. The Notice of Reciprocal Discipline was served upon Cloud on April 15, 1993 as evidenced by the return receipt received by the N.C. State Bar from the U.S. Postal Service.

5. On April 29, 1993, Cloud responded to the Notice of Reciprocal Discipline.

6. Cloud did not present sufficient evidence of the existence of any of the grounds set out in Section 16(B)(3) of the Discipline & Disbarment Procedures of the N.C. State Bar.

BASED UPON the foregoing findings of fact, the undersigned Chair of the Grievance Committee makes the following CONCLUSIONS OF LAW:

1. The North Carolina State Bar has jurisdiction over the subject matter of this grievance and over the person of John M.

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Cloud.

2. The procedures for imposition of reciprocal discipline pursuant to Art. IX, Section 16(B) of the Discipline & Disbarment Procedures of the N.C. State Bar have been met.

3. The violations of the Virginia Code of Professional Responsibility found by the Virginia State Bar are also violations of Rule 6(B)(3), Rule 1.2(B) and Rule 3.3 of the Rules of Professional Conduct of the North Carolina State Bar.

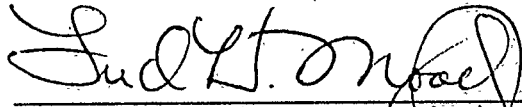
4. The public reprimand imposed by the Virginia State Bar is equivalent to a reprimand as defined by Art. IX, Section 3(II) of the Discipline & Disbarment Procedures of the N.C. State Bar and a reprimand should therefore be imposed upon John M. Cloud by the N.C. State Bar in this matter.

WHEREFORE IT IS HEREBY ORDERED THAT:

1. John M. Cloud is hereby reprimanded for his misconduct.

2. John M. Cloud is hereby taxed with the costs of this proceeding as assessed by the Secretary of the N.C. State Bar.

This the 10th day of August, 1993.


Fred H. Moody, Jr., Chair
Grievance Committee

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