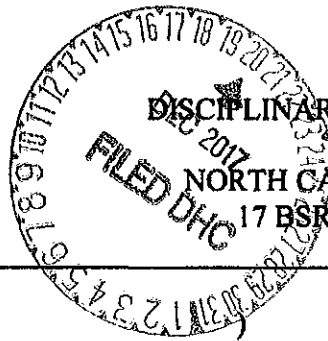


NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
17 BSR 8 and 12 DHC 22

IN THE MATTER OF

Petition for Reinstatement of
TRACEY E. CLINE, Attorney

)
) ORDER DENYING
) MOTION TO REINSTATE LICENSE
)

THIS MATTER came on to be heard before a Hearing Panel composed of Fred M. Morelock, Chair, David W. Long and Randy A. Moreau on Defendant's Motion to Reinstatement License filed on August 31, 2017. Margaret Cloutier represented the North Carolina State Bar. Defendant Tracey E. Cline filed the motion pro se but did not appear at the hearing. The hearing was scheduled to begin at 9:00 a.m. this day. The Chair waited until 9:35 a.m. to convene the hearing.

Based on the record and on the events at the hearing, the Hearing Panel makes the following

FINDINGS OF FACT

1. In an Order of Discipline filed June 22, 2015, a hearing panel of the Disciplinary Hearing Commission suspended Cline from the practice of law for five years effective thirty days from entry of the Order. Cline was served with the Order on July 20, 2015 and the effective date of the Order was August 19, 2015.
2. The Order provides that Cline may apply for a stay of any remaining period of suspension after serving two years of the active suspension and upon compliance with conditions set forth in the Order.
3. Cline bears the burden of proving satisfaction of all conditions for a stay by clear, cogent and convincing evidence.
4. On August 31, 2017, Cline filed a Motion to Reinstatement License requesting that her license to practice law be reinstated.
5. The Motion to Reinstatement License does not contain clear, cogent and convincing evidence that Cline has satisfied all conditions for a stay required by 27 N.C.A.C. 1B §.0118(c) and §.0129(b) [formerly Rule .0125(b)] and paragraph 8 of the Order of Discipline.

6. The Clerk provided notice of this hearing date by U. S. Mail addressed to Cline at the address on record with the State Bar, which was returned marked "Attempted – Not Known." The Clerk subsequently emailed notice of this hearing to Cline, who acknowledged receipt of the email.

7. Cline did not notify the Disciplinary Hearing Commission that she could not or would not attend the hearing.

8. Cline did not attend the hearing and presented no evidence in support of her Motion to Reinstate License.

Based on the foregoing Findings of Fact, the Hearing Panel makes the following

CONCLUSIONS OF LAW

1. The Hearing Panel has jurisdiction over Defendant, Tracey E. Cline, and over the subject matter.

2. Cline has not presented clear, cogent and convincing evidence that she is entitled to a stay of the suspension as required by 27 N.C.A.C. 1B §.0118(c) and §.0129(b) [formerly Rule .0125(b)] and by paragraph 8 of the Order of Discipline.

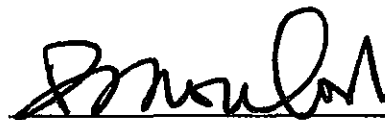
Based on the foregoing Findings of Fact and Conclusions of Law, the Hearing Panel enters the following

ORDER

1. Cline's Motion to Reinstate License is hereby DENIED.

2. Cline is taxed with costs and administrative fees for this hearing. Cline shall pay the costs and administrative fees of this proceeding within sixty days of service of the statement of costs upon her.

20th Signed by the Chair with the knowledge and consent of the Panel members, this day of December, 2017.



Fred M. Morelock, Chair
Disciplinary Hearing Panel