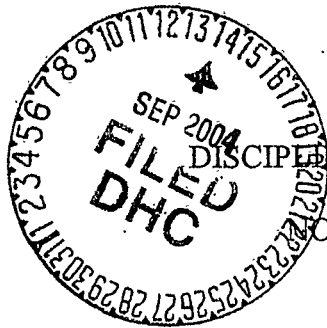


WAKE COUNTY
NORTH CAROLINA



9400

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
04 DHC 44

THE NORTH CAROLINA STATE BAR
Plaintiff

v.

S. ALLEN PATTERSON, ATTORNEY
Defendant

CONSENT ORDER
OF DISCIPLINE

This matter came on to be heard and was heard on the 14th day of September, 2004 before a hearing committee of the Disciplinary Hearing Commission composed of Richard T. Gammon, Chair, John M. May and Betty Ann Knudsen. The defendant, S. Allen Patterson, was represented by Lyle Yurko. Carolin Bakewell represented the North Carolina State Bar. Both parties stipulate and agree to the findings of fact and conclusions of law recited in this consent order and to the discipline imposed. Based upon the consent of the parties, the hearing committee hereby enters the following:

FINDINGS OF FACT

1. The Plaintiff, the North Carolina State Bar, is a body duly organized under the laws of North Carolina and is the proper party to bring 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. The Defendant, S. Allen Patterson, (Patterson) was admitted to the North Carolina State Bar in 1980 and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.
3. During all of the periods relevant hereto, Patterson was engaged in the practice of law in Cary, N.C.

4. On April 26, 2004, Patterson tendered a plea of guilty to a felony charge of violating 18 U.S.C. Sections 371 and 1349 in the U.S. District Court for the Western District of North Carolina.

5. The plea agreement was filed in U.S. District Court on Aug. 12, 2004.

6. The offense to which Patterson has tendered a guilty plea is a criminal offense showing professional unfitness as defined by 27 NCAC 1B .0115 of the State Bar Discipline & Disbarment Rules.

7. Patterson's plea of guilty has been accepted by the federal court within the meaning of 27 NCAC 1B .0115.

8. Patterson waives a finding of probable cause in this matter by the Grievance Committee and waives his right to appeal from any finding of fact, conclusion of law or the order of discipline in this case.

9. Patterson agrees that the disbarment order shall be effective immediately upon filing of the order of discipline with the State Bar.

Based on the foregoing Findings of Fact and the consent of the parties, the hearing committee hereby enters the following:

CONCLUSIONS OF LAW

1. The Disciplinary Hearing Commission has jurisdiction over the subject matter of this proceeding and over the person of the defendant, S. Allen Patterson.

2. By knowingly violating 18 U.S.C. Sections 371 and 1349, Patterson engaged in criminal conduct that reflects adversely on his honesty, fitness or trustworthiness as attorney in violation of Revised Rule 8.4(b) and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Revised Rule 8.4(c).

Based upon the consent of the parties, the hearing committee also enters the following:

FINDINGS OF FACT REGARDING DISCIPLINE

1. The defendant's misconduct is aggravated by the following factors:

- a. The defendant has been issued a letter of warning within the last 3 years.
- b. Substantial experience in the practice of law.

- c. Pattern of misconduct.
2. The defendant's misconduct is mitigated by the following factors:
 - a. Imposition of substantial penalties in the criminal prosecution.
 - b. Cooperative attitude toward the disciplinary proceeding.
 - c. No prior professional discipline.
 - d. The defendant has demonstrated a cooperative attitude toward the federal criminal proceeding.
3. The mitigating factors outweigh the aggravating factors.

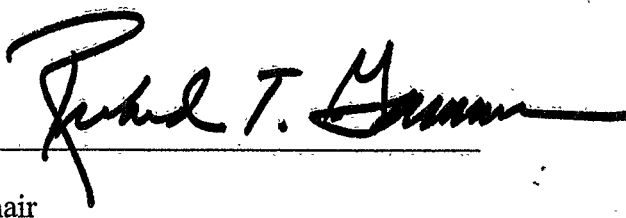
Based upon the foregoing findings of fact and conclusions of law and the findings regarding discipline and based upon the consent of the parties, the hearing committee enters the following:

ORDER OF DISCIPLINE

1. The defendant, S. Allen Patterson, is hereby disbarred from the practice of law, effective immediately upon filing of this order with the State Bar.
2. Defendant shall pay the costs of this proceeding within 30 days of service of the statement of costs upon him by the Secretary of the N.C. State Bar.
3. The defendant shall submit his license and membership card to the Secretary of the N.C. State Bar within 30 days of the filing of this order.
4. The defendant shall comply with all provisions of 27 NCAC 1B .0125(b) of the State Bar Discipline & Disability Rules.

Signed by the undersigned hearing committee chair with the consent of the other hearing committee members.

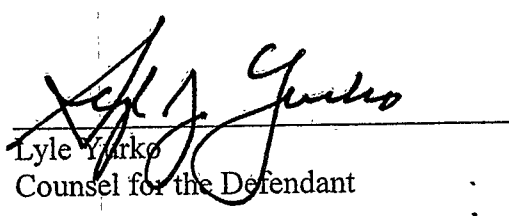
This the 14th day of September, 2004.


Chair

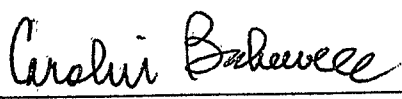
Seen and consented to:



S. Allen Patterson, Defendant



Lyle Yurko
Counsel for the Defendant



Carolin Bakewell
Counsel for the Plaintiff