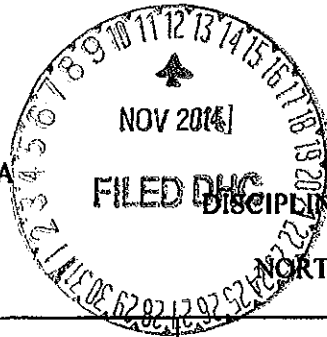


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF THE  
NORTH CAROLINA STATE BAR  
12 DHC 17

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

KENNETH P. ANDRESEN, Attorney,

Defendant

ORDER  
STAYING SUSPENSION

This matter came on for consideration by a hearing panel of the Disciplinary Hearing Commission (DHC) composed of Fred M. Morelock, Chair, Joshua W. Willey and Patti Head upon Defendant's Petition for Stay and Reinstatement filed 7 October 2014. Leonor Bailey Hodge represented Plaintiff, the North Carolina State Bar. Defendant, Kenneth P. Andresen, appeared *pro se*. Based upon Defendant's petition and supporting materials, the hearing panel hereby finds by clear, cogent, and convincing evidence the following:

#### FINDINGS OF FACT

1. Plaintiff, the North Carolina State Bar (hereafter "State Bar"), is a body duly organized under the laws of North Carolina and was the proper party to bring the above disciplinary proceeding against Defendant, Kenneth P. Andresen (hereafter "Defendant" or "Andresen") 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. Andresen was admitted to the North Carolina State Bar on 23 August 1980 and is, and was at all times referred to herein, an Attorney at Law 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. On 1 July 2013, the DHC entered an Order of Discipline in this matter. The Order of Discipline suspended Andresen for four years. The Order of Discipline provided that after serving twelve months of the suspension, Andresen could apply to have the remainder of the suspension stayed upon filing a petition and showing compliance with the conditions stated in the order by clear, cogent, and convincing evidence. The Order of Discipline was effective 14 August 2013.

4. Andresen applied to have the remainder of his suspension stayed by filing a Petition for Stay and Reinstatement on 7 October 2014. Andresen recited actions taken to comply with the conditions in the Order of Discipline and attached documentation in support of his statements.

5. Andresen properly filed the petition with the Clerk of the DHC and served a copy on the Office of Counsel of the State Bar.

6. Andresen complied with N.C. Admin. Code 1B § .0124.

7. Andresen paid the administrative fees and costs of the disciplinary proceeding.

8. Andresen paid restitution to Michael Markham in the amount of \$1,000.

9. Andresen paid restitution to Robert Markham in the amount of \$16,000.

10. Andresen abstained from the unauthorized practice of law during the period of active suspension.

11. During the period of active suspension, Andresen abstained from conduct constituting grounds for discipline under N.C. Gen. Stat. § 84-28(b).

12. Andresen is current in payment of all Membership dues, fees and costs.

13. There is no deficit in Andresen's completion of mandatory Continuing Legal Education (CLE) hours.

14. Andresen has completed six hours additional CLE beyond the minimum CLE requirement, three hours of the additional six hours was professional responsibility CLE and three hours of the additional six hours was trust accounting CLE.

Based upon the foregoing Finding of Fact, the Hearing Panel hereby enters the following:

#### CONCLUSIONS OF LAW

1. All the parties are properly before the Hearing Panel and the Panel has jurisdiction over Defendant, Kenneth P. Andresen, and the subject matter.

2. Andresen has satisfied all of the conditions precedent for a stay of the remainder of the suspension imposed as set forth in the Order of Discipline.

3. Andresen is eligible for a stay of the remainder of his suspension subject to the terms of the Order of Discipline in this matter entered on 1 July 2013.

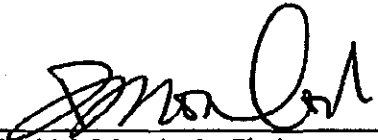
Based upon the foregoing Findings of Fact and Conclusions of Law, the Hearing Panel hereby enters the following:

ORDER

1. The remainder of the suspension of Andresen's law license is stayed and Andresen is reinstated to the active practice of law, subject to the terms, conditions, and requirements of the Order of Discipline in this case. Andresen's status as an active member of the North Carolina State Bar during the term of the stay of suspension is contingent upon his compliance with all of the conditions set forth in the Order of Discipline.

2. The Disciplinary Hearing Commission will retain jurisdiction of this matter pursuant to 27 N.C. Admin. Code 1B § .0114(x) throughout the period of the stayed suspension.

12th Signed by the Chair with the consent of the other hearing panel members, this the day of November, 2014.

  
Fred M. Morelock, Chair  
Disciplinary Hearing Panel