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COUNTY OF WAKE

NORTH CAROLINA

FILED

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IN THE GENERAL COURTS OF JUSTICE
SUPERIOR COURT DIVISION

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WAKE COUNTY, C.S.C.

THE NORTH CAROLINA STATE BAR)
Plaintiff)

v.)

ROBERT SHAWN WELLONS)
Defendant)

CONSENT ORDER
OF DISBARMENT

THIS MATTER came on to be heard and was heard by the undersigned Judge of Superior Court of Wake County upon the consent of the parties. The Defendant, Robert Shawn Wellons, was represented by Tharrington Smith, L.L.P. A. Root Edmonson represented the Plaintiff. Based upon the consent of the parties, the Court makes 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, Robert Shawn Wellons ("Wellons"), was admitted to the North Carolina State Bar in August 1995 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, Wellons was engaged in the practice of law in Raleigh, North Carolina.

4. In November, 2005, Wellons was served with a subpoena to appear and produce documents before a Federal Grand Jury sitting in the Western District of North Carolina.

5. After receipt of the subpoena, Wellons met with Attorney X because Wellons knew Attorney X to be experienced in federal grand jury matters and familiar with the matters described in the subpoena.

6. At Attorney X's request, Wellons produced for Attorney X's review the documents he had planned to produce in response to the subpoena. After reviewing the documents, Attorney X advised Wellons that some of the documents he was planning to produce were potentially embarrassing to Attorney X, and were not responsive to the subpoena. Attorney X further told Wellons that those particular documents were not relevant to what the Grand Jury was investigating, and Attorney X asked Wellons to redact those documents from his production.

7. Wellons asked Attorney X what would happen if he did this, and Wellons was then asked about it in the Grand Jury. Attorney X told Wellons that because this was not what the Grand Jury was interested in, it would likely never come up. He said if it did come up, Wellons should just say that he produced everything he had that was responsive to the subpoena.

8. Wellons redacted his document production as requested by Attorney X, and he turned the production over to the U. S. Attorney, as redacted. Thereafter, Wellons was in fact asked about his production in the Grand Jury and was confronted with evidence that he had indeed redacted some of the production. When so confronted, Wellons lied about what he had done and why.

9. It was Wellon's personal belief, at the time that he acceded to Attorney X's requests, that what Attorney X asked him to do was dishonest, deceitful, and a misrepresentation under Rule 8.4(c) of the Rules of Professional Conduct.

10. Accordingly, subsequent to Wellon's receipt of the Grand Jury subpoena, he engaged in conduct involving dishonesty, deceit and misrepresentation in violation of Rule 8.4(c) of the Rules of Professional Conduct.

11. Wellons initiated contact with the North Carolina State Bar about this matter before the North Carolina State Bar had any knowledge of any issue relevant to this action. Wellons stated that he believed that the voluntary surrender of his license to practice law was appropriate and Wellons has fully cooperated with all aspects of the North Carolina State Bar's review of this situation and agrees with the action being taken herein.

CONCLUSION OF LAW

1. By withholding relevant items from the documents produced to the U. S. Attorney pursuant to a Grand Jury subpoena and by lying about it when confronted, Wellons engaged in conduct involving dishonesty, fraud, deceit and misrepresentation in violation of Rule 8.4(c) of the Revised Rules of Professional Conduct.

2. The Courts of this State have the inherent authority to take disciplinary action against attorneys practicing therein.

3. This Court has jurisdiction over the person of the Defendant, Robert Shawn Wellons, and of the subject matter of this proceeding.

4. Wellons has engaged in professional misconduct warranting disbarment.

THEREFORE IT IS HEREBY ORDERED

1. Robert Shawn Wellons is hereby disbarred, effective immediately.

2. Robert Shawn Wellons shall not petition for reinstatement of his law license until the expiration of at least 5 years from the date of this order.

3. Robert Shawn Wellons' law license shall not be reinstated until he has demonstrated to the satisfaction of the Disciplinary Hearing Commission and the Council of the N. C. State Bar that he has complied with 27 NCAC 1 B. 0125.

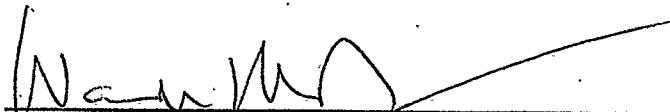
4. Robert Shawn Wellons shall comply with all provisions of 27 NCAC 1 B. 0124.

This the 20th day of February, 2006.



Wake County Superior Court

Seen and consented to:


Robert Shawn Wellons
Wade M. Smith, Defendant's Attorney
A. Root Edmonson, Plaintiff's Attorney