

NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
15 DHC 39

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

WARREN BALLENTINE, Attorney,

Defendant

ORDER
OF INTERIM SUSPENSION

THIS CAUSE came before the undersigned Chair of the Disciplinary Hearing Commission pursuant to 27 N.C.A.C. 1B §.0115(d) of the N.C. State Bar Discipline & Disbarment Rules on Plaintiff's Petition for an order of interim suspension of the license to practice law in North Carolina of Defendant, Warren Ballentine, based upon his conviction of criminal offenses in the United States District Court for the Northern District of Illinois showing professional unfitness. Based upon the Petition and the certified copy of the judgment in Defendant's criminal case, the undersigned hereby makes the following:

FINDINGS OF FACT

1. Defendant, Warren Ballentine (hereinafter "Defendant" or "Ballentine"), was licensed to practice law in North Carolina on March 2, 2007 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 North Carolina.
2. The current address of record for Defendant with the North Carolina State Bar is 106 Castlebar Lane, Durham, NC 27713.
3. Ballentine was found guilty of one count of mail fraud affecting a financial institution in violation of 18 U.S.C. §1341, one count of wire fraud affecting a financial institution in violation of 18 U.S.C. §1343, 2 counts of bank fraud in violations of 18 U.S.C. §1344, and 2 counts of making false statements to financial institutions in violation of 18 U.S.C. §1014 in *United States of America v. Warren Ballentine* 13CR88 (ND Ill). On July 21, 2015, judgment was entered on Ballentine's convictions. A copy of the certified copy of judgment is attached as Exhibit 1. The judgment in Defendant's criminal case indicates he is currently on supervised release.
4. Rule .0115(d) of Subchapter B of the Discipline & Disability Rules of the State Bar authorizes the Chair of the Disciplinary Hearing Commission to enter an order

suspending an attorney's license to practice law upon receipt of a certificate of conviction of a member of a criminal offense showing professional unfitness.

5. On August 27, 2015, Plaintiff filed and served its Petition for Order of Interim Suspension. On September 3, 2015, the Clerk of the Disciplinary Hearing Commission sent a letter to Defendant notifying him that he had until September 11, 2015 to file a response to the N.C. State Bar's Petition. Defendant did not file a response to the Petition within the time established for his response.

Based upon the foregoing FINDING OF FACT, the undersigned makes the following:

CONCLUSIONS OF LAW

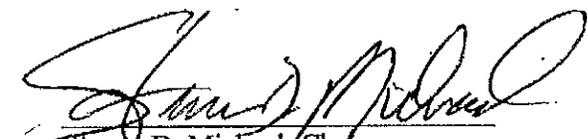
1. The crimes of which Ballentine was convicted are serious offenses showing professional unfitness under 27 N.C.A.C. 1B § .0103(17) of the State Bar Discipline & Disbarment Rules and N.C. Gen. Stat. § 84-28(b).
2. The undersigned Chair of the Disciplinary Hearing Commission is in receipt of a certificate of conviction establishing that Ballentine has been convicted of a criminal offense showing professional unfitness. Pursuant to 27 N.C.A.C. 1B §.0115(d) of the N.C. State Bar Discipline & Disbarment Rules, an order of interim suspension is appropriate.

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned Chair of the Disciplinary Hearing Commission enters the following:

ORDER

1. The license to practice law in the State of North Carolina of Defendant, Warren Ballentine, is hereby SUSPENDED pending the disposition of all disciplinary proceedings against Ballentine before this commission related to his conviction of criminal offenses in the United States District Court for the Northern District of Illinois showing professional unfitness.
2. Ballentine shall comply with all requirements of 27 N.C.A.C. 1B §.0124 of the North Carolina State Bar Discipline & Disability Rules for winding down his law practice.

This the 11th day of September, 2015.


Steven D. Michael, Chair
Disciplinary Hearing Commission