

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

WAKE COUNTY

SUPERIOR COURT DIVISION

FILE NO.: 12-CVS-_____

THE NORTH CAROLINA STATE BAR, INC.

Petitioner

v.

ALEXANDER L. LAPINSKI, Attorney,

Defendant

ORDER
OF DISBARMENT

THIS MATTER came before the undersigned Judge of Superior Court of Wake County. Petitioner, the North Carolina State Bar, was represented by Barry S. McNeill, Deputy Counsel. Defendant, Alexander L. Lapinski, is represented by Locke T. Clifford of Clifford, Clendenin & O'Hale, LLP, Greensboro, North Carolina, but has waived appearance on behalf of Mr. Lapinski.

Based upon the Affidavit of Surrender of Law License submitted to the Court by Defendant, Mr. Lapinski, the Court makes the following:

FINDINGS OF FACT

1. Defendant was licensed to practice law in North Carolina on August 26, 2003 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. Defendant's current address of record is: Lapinski Law Offices, PC, 1906 E. NC Hwy 54, Suite 200-F, Durham, North Carolina 27713. On March 21, 2012, Defendant filed Articles of Dissolution with the North Carolina Secretary of State resulting in the dissolution of Lapinski Law Offices, P.C.

3. On March 16, 2012, Defendant pled guilty in the United States District Court for the Middle District of North Carolina, Greensboro, North Carolina, to the felony under 18 U.S.C. § 1425 of the unlawful procurement of citizenship or naturalization by aiding and abetting a client in seeking United States citizenship under a false name, *United States of America v. Alexander L. Lapinski*, No. 1:12-CR-00088-WO-1 (M.D.N.C.). The presiding Magistrate Judge adjudged Defendant guilty. Pending the preparation of a Presentence Report, sentencing for Defendant is scheduled for June 14, 2012.

4. By his Affidavit of Surrender of Law License, Defendant indicates the desire to resign and surrender his license to practice law in North Carolina pursuant to State Bar Discipline & Disability Rule 27 NCAC 1B §.0102(c).

5. Defendant represents that his resignation is freely and voluntarily given, and is not the result of coercion or duress. Defendant also represents he is fully aware of the implications of submitting his resignation.

6. Defendant represents he is aware that there is a pending investigation by the State Bar regarding his conviction in *United States of America v. Alexander L. Lapinski*, No. 1:12-CR-00088-WO-1 (M.D.N.C.) of the felony under 18 U.S.C. § 1425 of the unlawful procurement of citizenship or naturalization by aiding and abetting a client in seeking United States citizenship under a false name.

7. Defendant acknowledges that the material fact upon which the investigation is predicated is true, that on March 16, 2012 in *United States of America v. Alexander L. Lapinski*, No. 1:12-CR-00088-WO-1 (M.D.N.C.), he was convicted of the felony under 18 U.S.C. § 1425 of the unlawful procurement of citizenship or naturalization by aiding and abetting a client in seeking United States citizenship under a false name.

8. Defendant is submitting his resignation because he knows that if disciplinary charges were predicated upon the misconduct under investigation relating to his conviction of the above referenced charge, he could not successfully defend against them.

Based upon the foregoing Findings of Fact, the Court makes the following

CONCLUSIONS OF LAW

1. The felony offense for which Defendant pled guilty is a crime showing professional unfitness to practice law as defined by Rule .0103(17) of the State Bar Discipline & Disability Rules and N.C. Gen. Stat. § 84-28(b).

2. N.C. Gen. Stat. § 84-36 and Sections .0102(c) and 0115(c) of Subchapter B of the Discipline & Disability Rules of the State Bar authorize this Court to enter an order disciplining an attorney upon receipt of a certified copy of a plea of guilty to a crime showing professional unfitness to practice law. A certified copy of the relevant documents of Defendant's guilty plea is attached to his Affidavit of Surrender of Law License.

3. By committing the above-referenced felony, Defendant engaged in a criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer in violation of Rule 8.4(b) of the Rules of Professional Conduct, and also engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation in violation of Rule 8.4(c) of the Rules of Professional Conduct.

4. Defendant's criminal conviction constitutes grounds for discipline pursuant to N.C. Gen. Stat. §§ 84-28(b)(1) and (d).

5. The courts of this State have inherent authority to take disciplinary action against attorneys licensed to practice law in North Carolina.

6. This Court has jurisdiction over the person of Defendant and over the subject matter of this proceeding.

7. Defendant has engaged in professional misconduct warranting disbarment.

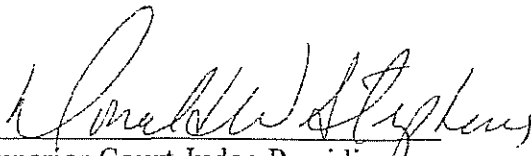
IT IS NOW, THEREFORE, **ORDERED**:

1. Defendant, Alexander L. Lapinski, is DISBARRED from the practice of law in North Carolina.


2. Defendant shall comply with the provisions of 27 N.C. Admin. Code, Chapter 1, Subchapter B, Section .0124 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0124. Defendant shall have thirty (30) days from the date of the entry of this order to complete the requirements of § .0124.

3. The costs of this action are taxed against Defendant.

Dated this 21 day of May, 2012.



Superior Court Judge Presiding

CERTIFIED TRUE COPY FROM ORIGINAL
Clerk of Superior Court Wake County


Secretary, Deputy Clerk of Superior Court
5-21-2012

STATE OF NORTH CAROLINA
WAKE COUNTY

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SUPERIOR COURT DIVISION
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FILED
MAY 21 09:16
WAKE COUNTY, N.C.

THE NORTH CAROLINA STATE BAR,

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ALEXANDER L. LAPINSKI, Attorney,

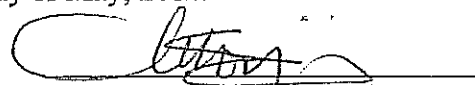
Respondent

AFFIDAVIT OF SURRENDER
OF LAW LICENSE

Alexander L. Lapinski, being first duly sworn, deposes and says as follows:

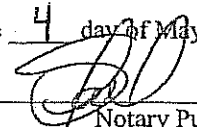
1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to State Bar Discipline & Disability Rule 27 NCAC 1B §.0102(c).
2. My resignation is freely and voluntarily rendered, and is not the result of coercion or duress. I am fully aware of the implications of submitting my resignation.
3. I am aware that there is a pending investigation by the State Bar regarding my conviction on March 16, 2012 in *United States of America v. Alexander L. Lapinski*, No. 1:12-CR-00088-WO-1 (M.D.N.C.) of the felony under 18 U.S.C. § 1425 of the unlawful procurement of citizenship or naturalization by aiding and abetting a client in seeking United States citizenship under a false name.
4. I acknowledge that the material fact upon which the investigation is predicated is true, that on March 16, 2012 in *United States of America v. Alexander L. Lapinski*, No. 1:12-CR-00088-WO-1 (M.D.N.C.), I was convicted of the felony under 18 U.S.C. § 1425 of the unlawful procurement of citizenship or naturalization by aiding and abetting a client in seeking United States citizenship under a false name.
5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation relating to my conviction of the above referenced charge, I could not successfully defend against them.

Respectfully submitted, this the 4th day of May, 2012.


ALEXANDER L. LAPINSKI

I, Sandra M. Garcia-Torres, Notary Public of the County of Wake, State of North Carolina, certify that Alexander L. Lapinski personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of his own personal knowledge, and executed the foregoing Affidavit.

This the 4 day of May, 2012.


Notary Public
My commission expires: 10/20/2012

