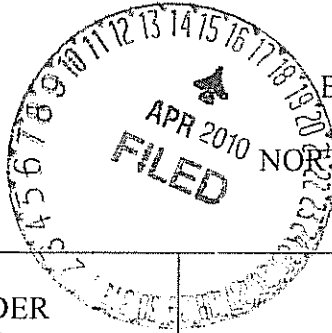


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
10 BCS 1

IN THE MATTER OF THE TENDER
OF SURRENDER OF LICENSE OF

MICHAEL J. MILLER

ORDER OF DISBARMENT

THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, §.0117(a) of the State Bar Discipline & Disability Rules upon tender of an affidavit of surrender of license executed by Michael J. Miller ("Miller") on April 14, 2010 and filed in the offices of the North Carolina State Bar on April 14, 2010.

Based upon the affidavit, the Council finds that Miller misappropriated entrusted funds in violation of Rule 8.4(c) of the Rules of Professional Conduct and that Miller's conduct is grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2).

WHEREFORE, upon motion made and duly seconded, the Council enters the following Order:

1. The tender of surrender of license of Michael J. Miller is hereby accepted.
2. Michael J. Miller is hereby DISBARRED from the practice of law in North Carolina.
3. Miller shall comply with the provisions of 27 N.C.A.C. Chapter 1, Subchapter B, § .0124 of the State Bar Discipline & Disability Rules 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 of the State Bar Discipline & Disability Rules.
4. The costs of this action are taxed against Miller.

Done and ordered this 16th day of April 2010.


Barbara B. Weyher, President
North Carolina State Bar

AFFIDAVIT TENDERING THE SURRENDER OF THE LICENSE OF
MICHAEL J. MILLER

I, Michael J. Miller, being first duly sworn, say:

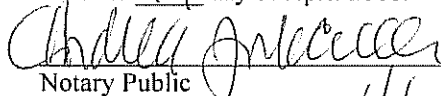
1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to the provisions of Section .0117 of the North Carolina State Bar Discipline and Disability Rules, 27 N.C. Admin. Code Chapter 1, Subchapter B, Section .0117.
2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation.
3. I am aware that there is presently pending an investigation regarding allegations that I misappropriated \$25,000.00 of entrusted funds and then repaid the funds shortly thereafter.
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. My resignation is being submitted because I know that if charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

Respectfully submitted, this the 14th day of April 2010.



 Michael J. Miller

Sworn to and subscribed before me
This the 14 day of April 2010.



 Notary Public
 My commission expires: 1/6/14

