

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
13G0542

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IN THE MATTER OF )

Melvin L. Wall, Jr., )  
Attorney At Law )

REPRIMAND

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On January 23, 2014, the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by Z. Q.

Pursuant to Section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Committee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Committee found probable cause. Probable cause is defined in the rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required, and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, a reprimand, or a censure to the respondent attorney.

A reprimand is a written form of discipline more serious than an admonition issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused harm or potential harm to a client, the administration of justice, the profession, or a member of the public, but the misconduct does not require a censure.

The Grievance Committee was of the opinion that a censure is not required in this case and issues this reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand.

In 2010, H. J. was jailed on worthless check charges. H. J. was a member of your Musalla AL-Qur'an and Sunnah, Inc. (hereafter, Musalla). You posted Mr. J.'s cash bond in the amount of \$1,124.00 by using Musalla funds and your personal funds to bail Mr. J. out of jail. You represented Mr. J. at the hearing where he pled guilty to a number of worthless check

charges. You were listed as a source of the bond. You also authorized payment of restitution from the bond.

At the conclusion of Mr. J's case, you received a check made payable to you for the balance of the funds from the bond. You cashed that check and placed the proceeds in your home safe as part of a "Rainy Day Fund" for use by the Musalla. A member of the Musalla questioned you about the money that the Musalla gave to post bond for Mr. J., but you denied receiving a refund. You stated that as a result of "growing discord about the refund," you turned over \$3,000.00 in the Rainy Day Fund to the Musalla.

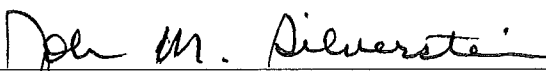
The Grievance Committee found that you served as a surety on Mr. J.'s bond in violation of NCGS Section 15A-541, Rules 1.7(a)(2), 1.8(e) and 8.4(d) of the Rules of Professional Conduct.

The Grievance Committee also found that you comingled your personal funds with the Musalla's entrusted funds in your home safe. Your comingling of entrusted funds with your personal funds violated Rule 1.15-2(a).

You are hereby reprimanded by the North Carolina State Bar for your professional misconduct. The Grievance Committee trusts that you will heed this reprimand, that it will be remembered by you, that it will be beneficial to you, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession.

In accordance with the policy adopted July 23, 2010 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any attorney issued a reprimand by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this the 20th day of FEBRUARY, 2014.

  
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John M. Silverstein, Chair  
Grievance Committee

JMS/lb