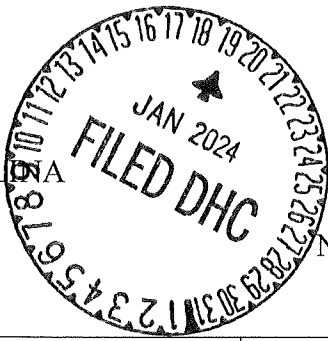


STATE OF NORTH CAROLINA  
WAKE COUNTY



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

IN THE MATTER OF THE TENDER  
OF SURRENDER OF LICENSE OF  
  
NATHANAEL PENDLEY

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, Section .0121(a) of the State Bar Discipline & Disability Rules upon tender of an affidavit of surrender of license executed by Nathanael Pendley (hereinafter "Pendley") on 5 January 2024 and filed in the offices of the North Carolina State Bar on 8 January 2024.

Based upon the affidavit, the Council finds that Pendley pled guilty in the United States District Court for the Eastern District of Wisconsin, case no. 2:23-cr-00080-jps, to one count of Conspiracy to Violate the Laws of the United States in violation of 18 U.S.C. § 371, to wit: Conspiracy to (a) commit mail fraud in violation of 18 U.S.C. §§ 1341 and 2(a); and (b) make false statements to an agency of the federal government (to wit, the Federal Elections Commission) in violation of 18 U.S.C. §§ 1001(a)(2) and 2(a) in violation of the North Carolina Rules of Professional Conduct Rule 8.4(b) and (c). Pendleton's conduct is grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(1) and pursuant to N.C. Gen. Stat. § 84-28(b)(2).

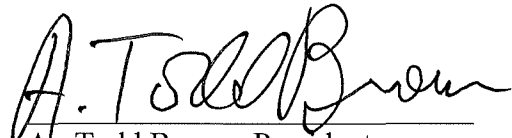
WHEREFORE, upon motion made and duly seconded, the Council enters the following Order:

1. The tender of surrender of license of Nathanael Pendley is hereby accepted.
2. Pendley is hereby DISBARRED from the practice of law in North Carolina.
3. Pendley shall comply with the provisions of 27 N.C. Admin. Code 1B.0128 of the State Bar Discipline & Disability Rules. Pendley shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by § .0128 of the State Bar Discipline & Disability Rules within ten (10) days after the expiration of the wind-down period provided under § .0121(e).
4. The administrative fees and costs of this action are taxed against Pendley.
5. Within 10 days of the date of this Order, Pendley shall provide the State Bar with an address and telephone number at which clients seeking return of files can

communicate with Pendley and obtain such files, and Pendley shall promptly return all files to his clients upon request.

6. If Pendley fails to fully comply with 27 N.C. Admin. Code 1B.0128, Pendley shall reimburse the State Bar for all expenses incurred by the State Bar in winding down Pendley's practice. Such expenses may include, but are not limited to, storage facility fees, rent payments, moving expenses, charges for secure disposal of client files, postage or other mailing expenses, and compensation paid to a court-appointed trustee and/or the trustee's assistant for time and travel associated with the trusteeship. The State Bar shall send an invoice of wind-down expenses to Pendley at Pendley's last known address of record with the North Carolina State Bar. Pendley shall not be eligible for reinstatement until he has reimbursed the State Bar for all wind-down expenses incurred.

Done and ordered this 19<sup>th</sup> day of January, 2024.

  
A. Todd Brown, President  
North Carolina State Bar

STATE OF NORTH CAROLINA

WAKE COUNTY



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

AFFIDAVIT TENDERING THE SURRENDER OF THE LICENSE OF  
NATHANAEL PENDLEY

I, NATHANAEL PENDLEY, 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 .0121 of the North Carolina State Bar Discipline and Disability Rules, 27 N.C. Admin. Code Chapter 1, Subchapter B, Section .0121.
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. On 12 June 2023, I pled guilty in the United States District Court for the Eastern District of Wisconsin, case no. 2:23-cr-00080-jps, to one count of conspiracy to commit offenses against the United States in violation of 18 U.S.C. § 371, to wit: Conspiracy to (a) commit mail fraud in violation of 18 U.S.C. §§ 1341 and 2(a); and (b) make false statements to an agency of the federal government (to wit, the Federal Elections Commission) in violation of 18 U.S.C. §§ 1001(a)(2) and 2(a). On 28 June 2023, United States District Court Judge J.P. Stadtmueller accepted my guilty plea and, on 28 December 2023, adjudged me guilty of the offense.
4. I am aware that the State Bar is presently investigating my criminal conduct. I acknowledge that the material facts upon which the grievance investigation is predicated are true.
5. My resignation is being submitted because I know that if disciplinary charges were predicated upon the criminal conduct under investigation, I could not successfully defend against them.
6. I understand that the hearing by the Council of the North Carolina State Bar with regard to the acceptance of the tender of surrender of my license to practice law will occur at the regularly scheduled meeting of the Council of the North Carolina State Bar on Friday, January 19, 2024 at the State Bar building located at 217 East Edenton Street, Raleigh, North Carolina.
7. I hereby waive any further notice of the hearing before the Council on my affidavit of surrender. I waive any claim, argument, or assertion that I have not received proper or timely notice of the hearing before the Council on my affidavit of surrender or any other defect in notice. I further waive any and all right or privilege to appear before the Council at that hearing.

8. I affirm that I have had a full opportunity to seek the advice and counsel of an attorney in filing my Affidavit of Surrender and in waiving any rights set forth herein.

Respectfully submitted, this the 5<sup>th</sup> day of January, 2024.

Nathanael Pendley

Nathanael Pendley

I, Sean Lee Staff, Notary Public of the County of Forsyth, State of North Carolina, certify that Nathanael Pendley 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 5<sup>th</sup> day of Jan., 202<sup>4</sup>

Sean Lee Staff

Notary Public

(print name) Sean Lee Staff

My commission expires: 06/09/2028

