

IN THE SUPREME COURT OF MISSISSIPPI

NO. 1999-BD-00789-SCT

THE MISSISSIPPI BAR

v.

JAMES D. HARRELL, IV

ORDER

This Court, sitting En Banc, considered the Joint Formal Complaint of The Mississippi Bar ("the Bar"), filed against James D. Harrell, IV ("Mr. Harrell"), as well as all pleadings filed in this cause; and this Court, being further fully advised in the premises, is of the opinion that the relief requested in the Joint Formal Complaint is well taken and should be granted, and specifically finds:

1. This Court has jurisdiction over both the parties and subject matter hereto;
2. The Bar filed its Formal Complaint against Mr. Harrell pursuant to the provisions of Rule 6 of the Rules of Discipline, requesting that Mr. Harrell be disbarred from the practice of law in the State of Mississippi;
3. The Bar alleged in said Joint Formal Complaint that Mr. Harrell pled guilty to and was convicted of crimes in violation of Section 371 and 1957 (a), Title 18, United States Code, and said crimes constituted felonies.
4. The Bar also alleged in said Joint Formal Complaint that the crimes for which Mr. Harrell was convicted are among the types of offenses contemplated by Rule 6 of the Rules of Discipline, in that

said crimes are felonies warranting the imposition of automatic disbarment;

5. On or about March 26, 1999, Mr. Harrell was ordered to serve a thirty (30) month term in the custody of the United States Bureau of Prisons and to pay restitution to the victims of his offenses in accordance with a subsequent Order of the United States District Court. Mr. Harrell was also ordered to pay other various fees, costs and assessments.

6. The Judgment of Conviction In a Criminal Case entered in said cause constitutes a final conviction and constitutes conclusive evidence of Mr. Harrells guilt of the underlying crimes; and according to Rule 6(a) of the Mississippi Rules of Discipline, Mr. Harrell should be immediately disbarred from the practice of law in the State of Mississippi; and,

7. The Bar is entitled to recover of and from Mr. Harrell the costs and expenses it incurred in this cause and the Bar shall within a reasonable time after this Order becomes final file with the Clerk of this Court a Motion for its Costs and Expenses.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

A. For Mr. Harrells conviction for the crimes described herein, he should be and is hereby DISBARRED;

B. This Order of Disbarment shall constitute Notice of Disbarment in this cause;

C. Mr. Harrell shall pay to the Bar its costs and expenses in this cause and that the Bar shall file its Motion for Costs and Expenses within a reasonable time after the date of the entry of this Order;

D. The Clerk of the Mississippi Supreme Court shall forward an attested copy of this Order to the Judges of the County, Circuit and Chancery Courts in and for Forrest County Mississippi, and the Senior Judges of said Court shall enter this Order upon the minutes of their respective Courts;

E. The Clerk of the Supreme Court of Mississippi shall forward an attested copy of this Order to the Clerks of the United States District Courts in and for the State of Mississippi, to the Clerk of the United States Court of Appeals for the Fifth Circuit, and to the Clerk of the United States Supreme Court; and,

F. This Order shall in all respects be a public record, to remain in full force and effect until further Order of this Court.

SO ORDERED, this the day of June, 1999.

CHUCK McRAE, JUSTICE