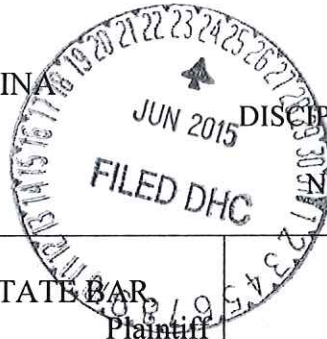


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE
 DISCIPLINARY HEARING COMMISSION
 OF THE
 NORTH CAROLINA STATE BAR
 15 DHC 24

THE NORTH CAROLINA STATE BAR
 Plaintiff

v.

COMPLAINT

CHRISTINE C. MUMMA, Attorney,
 Defendant

Plaintiff, complaining of Defendant, alleges and says:

1. Plaintiff, the North Carolina State Bar (hereinafter “State Bar”), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar promulgated thereunder.

2. Defendant, Christine C. Mumma (hereinafter “Defendant” or “Mumma”), was admitted to the North Carolina State Bar on 20 March 1999 and is an attorney at law subject to the rules, regulations, and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.

3. During the relevant period referred to herein, Mumma was actively engaged in the practice of law and served as Executive Director and legal counsel for the North Carolina Center on Actual Innocence (hereafter “NCCAI”) in Durham County, North Carolina.

4. Mumma represented Joseph Sledge (hereafter “Sledge”) before the North Carolina Innocence Inquiry Commission (hereafter “NCIIC”) in his claim of innocence.

5. After an NCIIC hearing on 5 December 2014, Sledge’s claim of innocence concluded with referral of the matter to a hearing before a three-judge panel in Superior Court.

6. On or about 16 January 2015, NCIIC provided an uncertified copy of the transcript of the NCIIC hearing on Sledge’s claim of innocence (hereafter “uncertified transcript”) to the prosecutor, Jon David (hereafter “David”), Mumma and the members of the three-judge panel.

7. On or about 21 January 2015, NCIIC received a telephone call from Mandy Locke (hereafter “Locke”) of *The News and Observer* seeking to obtain a copy of the transcript of the NCIIC hearing.

8. NCIIC informed Locke that it would provide a copy of the transcript once it had been certified.

9. On or about 21 January 2015, Locke requested of Mumma a copy of the transcript.

10. On or about 22 January 2015, Mumma provided Locke with access to Mumma's electronic copy of the uncertified transcript.

11. On or about 23 January 2015 at 7:00 a.m., before the transcript of the NCIIC hearing had been certified, *The News and Observer* published an article entitled "Victims' Family Doesn't Buy Joseph Sledge's Claim of Innocence."

12. This article included information that was only obtainable from the uncertified transcript of the NCIIC hearing.

13. Kendra Montgomery-Blinn (hereafter "Montgomery-Blinn") sought on behalf of NCIIC to determine who had provided a copy of the uncertified transcript to Locke.

14. After inquiring of NCIIC staff and being informed that no one there had provided a copy of the uncertified transcript to Locke, Montgomery-Blinn sent an email on or about 26 January 2015 at 1:32 p.m. inquiring of Mumma and David as to whether "you have information or did you provide [the uncertified transcript] to the media?"

15. On or about 26 January 2015 at 1:55 p.m., David replied to Montgomery-Blinn's email stating that he did not show the uncertified transcript to anyone outside of his staff.

16. On or about 26 January 2015 at 2:42 p.m., Mumma replied to Montgomery-Blinn's email: "I hope you all had a good weekend as well. I'll look into this, Kendra...."

17. Mumma's claim that she would look into the matter was misleading in that it created the false appearance that Mumma needed to conduct additional investigation to determine who had provided the uncertified transcript to Locke.

18. On or about 26 January 2015 at 3:30 p.m., Montgomery-Blinn sent another email and asked Mumma directly whether Mumma or her staff provided the uncertified transcript to the media.

19. Mumma did not respond to Montgomery-Blinn's January 26th 3:30 p.m. inquiry, though Mumma did send a reply to Montgomery-Blinn's message that addressed other issues in the case.

20. On or about 26 January 2015 at 4:55 p.m., Montgomery-Blinn sent an email message to Mumma that stated in relevant part: "I believe that you are saying that you provided the transcript to Mandy Locke. Who else did you provide it to prior to introducing it at the three-judge panel? Why?"

21. On or about 26 January 2015 at 5:01 p.m., Mumma replied to Montgomery-Blinn's January 26th 4:55 p.m. message stating: "I am not saying I provided a copy to Mandy Locke."

22. Mumma's January 26th 5:01 p.m. reply to Montgomery-Blinn's message was misleading in that it gave the false appearance that Mumma had not provided a copy of the uncertified transcript to Locke.

23. Mumma failed to acknowledge that she provided Locke with access to her copy of the uncertified transcript until 26 February 2015, after being informed on 20 February 2015 that the Honorable Arnold O. Jones, Chair of NCIIC, sought a meeting with all parties to determine who had provided the uncertified transcript to Locke.

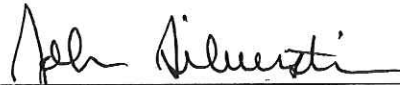
THEREFORE, the State Bar alleges that Defendant's foregoing actions constitute grounds for discipline pursuant to N.C.G.S. § 84-28(b)(2) in that Defendant violated one or more of the Rules of Professional Conduct in effect at the time of her actions as follows:

- a) By sending email responses to Montgomery-Blinn's inquiries that created the false appearance that Mumma did not provide the uncertified transcript to Locke, Mumma engaged in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule 8.4(c) and engaged in conduct that is prejudicial to the administration of justice in violation of Rule 8.4(d).

WHEREFORE, Plaintiff prays that:

1. Disciplinary action be taken against Defendant in accordance with N.C.G.S. § 84-28 (c) and 27 N. C. Admin. Code 1B § .0114 as the evidence on hearing may warrant;
2. Defendant be taxed with the administrative fees and with actual costs permitted by law in connection with the proceeding; and
3. For such other and further relief as the Hearing Panel deems appropriate.

THIS the 24th day of JUNE, 2015.



John Silverstein, Chair
Grievance Committee



Lleanor Bailey Hodge, Deputy Counsel
State Bar #27253



Maria J. Brown, Deputy Counsel
State Bar # 47604

Attorneys for Plaintiff

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