

Monroe A. Miller, Jr.  
19 Big Spruce Lane  
Waynesville, NC 28786  
November 7, 2013

The Grievance Committee  
**The North Carolina State Bar**  
208 Fayetteville Street  
PO Box 25908  
Raleigh, NC 27611  
(919) 828-4620

**Subject:** Complaint against George B. Hyler Jr.

I, the undersigned hereby complain against

George B. Hyler Jr., ID# 5682  
**Hyler & Lopez, PA**  
38 Orange Street  
Asheville, NC 28801  
(828) 254-1070

I agree to cooperate by furnishing to the representatives of the North Carolina State Bar all pertinent information and records in my possession concerning the alleged misconduct of said attorney. I further agree that if a hearing or inquiry is ordered concerning the alleged misconduct of said attorney, then I will furnish evidence concerning the facts by submitting to deposition or personal attendance at the hearing or inquiry. I hereby indicate that this information is provided and transmitted by me to the North Carolina State Bar for the purpose of investigating the alleged misconduct of the above named attorney. I understand that I may also need to reveal this information to a privately-retained attorney to pursue private remedies on my behalf. I further understand that the immunity granted by North Carolina General Statute 84-28.2 applies only to those statements made without malice and intended for transmittal only to the North Carolina State Bar.

I also understand that the North Carolina State Bar may reveal this information to the accused attorney for his response to a formal inquiry and to others pursuant only to the Rules and Regulations of the North Carolina State Bar.

I am filing this grievance as an **amicus curiae**.

Terry Ramey's property was foreclosed on by Rusty McLean, a Waynesville lawyer, case number 12 SP 441, a Trustees Deed Foreclosure. The foreclosure hearing on January 31, 2013, was conducted by Sam Hyde [re: grievance filed with NC Bar - 13G0507], Assistant Clerk of Superior Court, also a lawyer. The property was put up for bid by Clarence Dickson, substitute Trustee, another Waynesville lawyer, and the winning bidder was Hayes Singleton, using Jeff Norris, a Waynesville lawyer, as his final lawyer. All in all, there were at least seventeen (17) lawyers directly or indirectly involved with this foreclosure. See "The Players" (enclosed).

Surplus Funds were available from the bidding process, case number 13 SP 252, and June Ray, the Haywood County Clerk of Superior Court, presided over two (2) hearings regarding the disbursement of the Surplus Funds.

Terry Ramey hired George Hyler to represent him during the hearing phase of the disbursement of Surplus Funds, on or about July 22, 2013. There were two hearings regarding this disbursement, the first on August 26, 2013, and the second on October 4, 2013.

June Ray refused to allow me to record either of these public hearings. On September 17, 2013, I filed a request with June Ray to record the second hearing: APPLICATION TO UTILIZE STILL PHOTOGRAPHIC OR ELECTRONIC EQUIPMENT WITHIN THE COURTHOUSE FOR RECORDING OR PRESENTATION PURPOSES. June Ray denied this request at the October 4<sup>th</sup> hearing, citing that I was not a party to Ramey's hearing. I took hand written notes at both meetings.

There were no records of either hearing filed in case file 13 SP 252, prompting me to create an AFFIDAVIT filed with the Register of Deeds, and I had it stamped and placed in case file 13 SP 252. Affidavit filed as Book 855, Pages 2397-2447, enclosed.

On or about August 2, 2013, Ramey discovered that George Hyler's wife was June Ray's best friend. They even go to the beach together [re: Hyler's billing statement, enclosed].

During the October 4<sup>th</sup> hearing, June Ray appeared to be reading off a carefully prepared Statement or Order at the "hearing" or "continuance of hearing" or whatever it was that happened on October 4, 2013 at 11:00am in her Probate Hearing Room, regarding her ordering disposition of Terry Ramey's Surplus Funds to Marlin Leasing, the City of Waynesville, and get this, George Hyler for his legal fees.

### **Complaint #1.**

From a conversation George Hyler had with Terry Ramey a week before the October 4<sup>th</sup> hearing, this exchange occurred between George Hyler and June Ray.

It is understood that June Ray is great friends with Hyler's wife, and **June Ray called Hyler earlier that week to ask him what to do with this hearing.** Terry Ramey was unaware that June Ray was going to add Hyler's fee to the people that got a slice of the pie from the Surplus Funds account. Did June Ray work that out with George Hyler's wife?

George Hyler violated the North Carolina Bar Association Rules of Professional Conduct,

### **Rule 8.4, MISCONDUCT.**

**It is professional misconduct for a lawyer to:**

**(f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law;**

In a turn-about from Hyler's actions in the first hearing on August 26, 2013, where he indicated that Woody Griffin, a lawyer for the Town of Waynesville, was going through the "back door" to get Waynesville back-taxes paid from the Surplus Funds, Hyler offered no objection during the second hearing while June Ray read from her order granting the Town of Waynesville back taxes from Surplus Funds.

It was brought to my attention that June Ray records all of her hearings, so as Terry Ramey and I were visiting the local Magistrate looking to Subpoena those recordings, Terry Ramey got word from the Magistrate about a half an hour later that the recordings were now available to Ramey at the Justice Center. He was told, that June Ray indicated all he had to do was ask for them. The recordings, in court recorded format, are attached with this grievance in the form of a DVD.

## **Complaint #2.**

Subsequent to the second hearing, George Hyler indicated to Terry Ramey that he had thirty (30) days in which to appeal this matter, and restated that in a letter to Terry Ramey on October 18, 2013 [enclosed]. Point of fact is that Terry Ramey only had ten (10) days to appeal the matter [re: from Clerk of Buncombe County].

Terry Ramey lost the ability to appeal this matter due to faulty legal advice from his lawyer, George Hyler.

George Hyler failed to perform even the minimum standard for a lawyer by violating the Rules of Professional Conduct, 0.1 PREAMBLE: A LAWYER'S PROFESSIONAL RESPONSIBILITIES.

[1] A lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system, and a public citizen having special responsibility for the quality of justice.

[2] As a representative of clients, a lawyer performs various functions. As advisor, **a lawyer provides a client with an informed understanding of the client's legal rights** and obligations and explains their practical implications. As advocate, a lawyer zealously asserts the client's position under the rules of the adversary system. As negotiator, a lawyer seeks a result advantageous to the client but consistent with requirements of honest dealing with others. As evaluator, a lawyer acts by examining a client's legal affairs and reporting about them to the client or to others.

There are multiple instances of Conflicts of Interest in this matter, but these two specific Complaints should suffice.

George Hyler acted with Moral Turpitude, and this grievance should be considered seriously.

enc: "The Players" diagram of lawyers involved in this single foreclosure against Terry Ramey  
Affidavit filed as Book 855, Pages 2397-2447 for case file 13 SP 252  
Hyler's billing statement  
Order of Distribution of Surplus Funds by June Ray  
APPLICATION TO UTILIZE STILL PHOTOGRAPHIC OR ELECTRONIC EQUIPMENT  
DVD, audio recording of two hearings, August 26, 2013, October 4, 2013  
Hyler letter to Ramey, 10/18/13, Distribution of Surplus Funds.

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Monroe A. Miller Jr.  
19 Big Spruce Lane  
Waynesville, NC 28786  
(828) 456-3718

[Notary Stamp Here]

**Jurat**

Signed and sworn before me \_\_\_\_\_, on this day, the \_\_\_\_ day of \_\_\_\_\_, 2013.

Signed: \_\_\_\_\_

Printed: \_\_\_\_\_

My commission expires on \_\_\_\_\_

**[Editors Note:** The following are scanned images of most of the attachments.

enc: “The Players” diagram of lawyers involved in this single foreclosure against Terry Ramey  
Affidavit filed as Book 855, Pages 2397-2447 for case file 13 SP 252  
Hyler’s billing statement  
Order of Distribution of Surplus Funds by June Ray  
APPLICATION TO UTILIZE STILL PHOTOGRAPHIC OR ELECTRONIC EQUIPMENT  
DVD, audio recording of two hearings, August 26, 2013, October 4, 2013  
Hyler letter to Ramey, 10/18/13, Distribution of Surplus Funds.

The DVD’s are not included here, but may soon be posted also on [www.haywoodtp.net](http://www.haywoodtp.net) . They are in a courtroom recording format, and special playback software will need to be downloaded to review these recordings. When posted, instructions will be included.

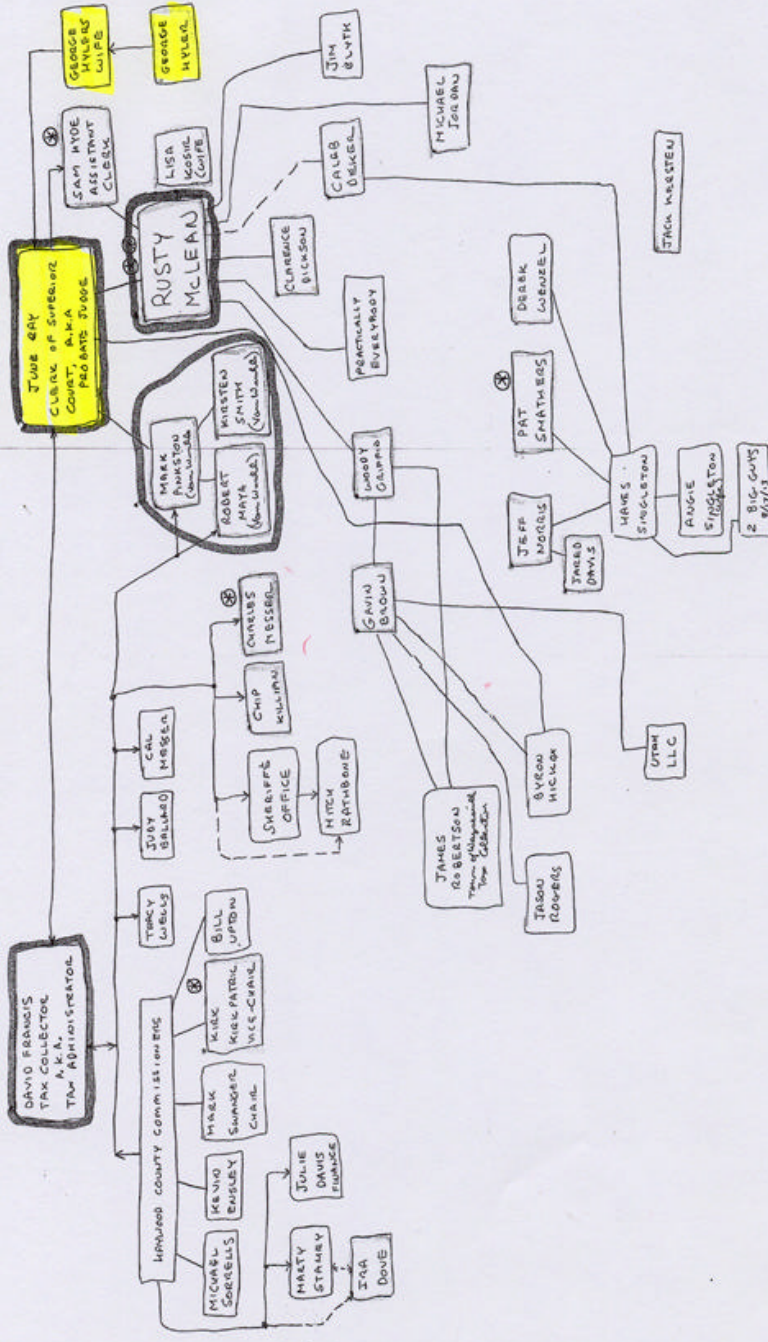
The Cast of Characters has been included here, with sections highlighted in yellow, but is also posted on [www.haywoodtp.net](http://www.haywoodtp.net) : <http://haywoodtp.net/pubII/140429CastOfCharacters.PDF>

Be sure to review the six (6) accompanying FLOW DIRAGRAMS.

The Affidavit, too long to include here, is also on [www.haywoodtp.net](http://www.haywoodtp.net) : <http://haywoodtp.net/pubII/131009Affidavit.pdf> ]

NOV 6 2013

HAYWOOD COUNTY FORECLOSURES  
→ THE PLAYERS \*



LEGEND:  
 BLUE Box LAWYER  
 PINK Box PERSON WITH CURRENT OR PAST CREDIT ON PAST CREDIT FILED W/ NC BNC CREDITORS

Michael A. Miller Jr.  
 1916 Grand Lane  
 Waynesville, NC 28786

OCT 21 2013

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

BEFORE THE CLERK

COUNTY OF HAYWOOD

FILED  
2013 OCT 11 PM 12:47

FILE NO.: 13 SP 525  
252

HAYWOOD COUNTY, C.S.C.

IN THE MATTER OF THE \_\_\_\_\_ BY \_\_\_\_\_  
DISTRIBUTION OF SURPLUS PROCEEDS  
FROM THE FORECLOSURE OF A DEED  
OF TRUST Executed by Terry E. Ramey  
(single) and Robin Morgan Ramey (single),  
dated April 20, 2009, in Book 758 at Page  
514, of the Haywood County Registry.

VERIFIED PETITION FOR  
ATTORNEY'S FEES

NOW COMES George B. Hyler, Jr. For Terry E. Ramey, who petitions the Clerk of Superior Court for approval of payment of attorney's fees to the law firm, Hyler & Lopez, P.A., for the following reasons:

1. The undersigned attorney has appeared for Terry E. Ramey (single) in regard to the prosecution of this matter, and this type of action reasonably justifies retention of legal counsel.
2. The undersigned attorney was required, among other things, to:
  - a. File the petition in this cause of Distribution of Surplus Funds.
  - b. Meet with Terry E. Ramey on several occasions in preparation for trial.
  - c. Make several trips for purposes of filing documents in service of process.
  - d. Appear in several hearings in this regard.
3. Under these circumstances, the Clerk of Superior Court is authorized and empowered to allow counsel fees be paid to the undersigned Attorney.
4. As of the date of the filing of this Verified Petition, the law firm Hyler & Lopez, P.A. has provided a total of 18.7 hours in legal services in connection with this matter, amounting to \$4,563.75 in legal services to date.
5. Attached hereto and marked "Exhibit A" is a true and correct copy of the legal billing of the law firm, Hyler & Lopez, P.A., made in connection with this matter.
6. The law firm of Hyler & Lopez, P.A. would be willing to accept payment of \$2,500.00 for all services rendered in this matter.

OCT 21 2013

WHEREFORE, the undersigned attorney requests that the Clerk approve payment of \$2,500.00 in attorney's fees to Hyler & Lopez, P.A. for their services in this matter.

THIS the 10<sup>th</sup> day of October, 2013

**HYLER & LOPEZ, P.A.**

George B. Hyler, Jr.  
George B. Hyler, Jr.  
38 Orange Street  
Asheville, NC 28801  
(828) 254-1070  
(828) 254-1071 - fax

SWORN TO and SUBSCRIBED before me this day by George B. Hyler, Jr.

Date: 10/10/13

S. Allison Sellers  
Notary Public

S Allison Sellers  
Notary Public  
Haywood County, NC  
My Commission Expires  
February 28, 2018

My commission expires: 2/28/18



**Hylar & Lopez, PA**  
Transactions Listing (Wide) Report

Search Description:  
Search for: 133614-001 Search by: Matter ID Stage: (all) Type: (all)

Date	Prof	Matter ID/Client Sort	Matter Description	Component Task Code	Units	Price	Value
<b>Component Type: Soft Costs</b>							
7/23/2013	SW	133614-001 / Ramey, Terry / Civil	Travel fee	travel	1.0000	20.0000	20.0000
8/9/2013	SW	133614-001 / Ramey, Terry / Civil	Postage	post	2.0000	6.5100	13.0200
8/26/2013	SW	133614-001 / Ramey, Terry / Civil	Credit Card Expense-State of NJ Department of Treasury; Division of Revenue & Enterprise; business records	cce	1.0000	6.2500	6.2500
8/26/2013	SW	133614-001 / Ramey, Terry / Civil	Travel fee	travel	1.0000	40.0000	40.0000
10/4/2013	SW	133614-001 / Ramey, Terry / Civil	Travel fee	travel	1.0000	40.0000	40.0000
				Component Type: Soft Costs		6.0000	119.2700
<b>Component Type: Fees</b>							
7/23/2013	GBH	133614-001 / Ramey, Terry / Civil	General File Work-met w/ June and Sam, went over details of foreclosure	glw	0.7500	275.0000	206.2500
7/24/2013	GBH	133614-001 / Ramey, Terry / Civil	Telephone call from him, told him what he had learned	tele	0.2000	275.0000	55.0000
8/1/2013	GBH	133614-001 / Ramey, Terry / Civil	Met with him, went over update, several issues; dictated letter and edited	meet	1.0000	275.0000	275.0000
8/2/2013	GBH	133614-001 / Ramey, Terry / Civil	Appearance-gave letter to June, they looked at statute, has time; got final repeal	app	0.7500	275.0000	206.2500

OCT 21 2013

EXHIBIT

A

**Hylar & Lopez, PA**  
Transactions Listing (Wide) Report

OCT 21 2013

Search Description:  
Search for: 133614-001 Search by: Matter ID Stage: (all) Type: (all)

Date	Prof	Matter ID/Client Sort Matter Description Narrative	Component Task Code	Units	Price	Value
8/6/2013	GBH	133614-001 / Ramey, Terry / Civil General File Work-Same came and showed me their motion (in court), went by and met with him will not sign until tomorrow; telephone call w/ Terry, let him know; telephone call to lawyer	gfw	0.4500	275.0000	123.7500
8/7/2013	GBH	133614-001 / Ramey, Terry / Civil General File Work-met w/ Steve and Rebecca, work on form and statute; met w/ Terry, updated all the issues, work on SP Proceeding; telephone call from him, got call from him, returned call	gfw	1.2500	275.0000	343.7500
8/7/2013	AS	133614-001 / Ramey, Terry / Civil General File Work-typed Petition/Order and Verification, Summons and Cover sheet	gfw	1.0000	100.0000	100.0000
8/8/2013	AS	133614-001 / Ramey, Terry / Civil General File Work-remailed the App. for funds Completed Summons (3)	gfw	0.5000	100.0000	50.0000
8/8/2013	GBH	133614-001 / Ramey, Terry / Civil Telephone calls to and from June; telephone calls to June, Sam and office, finalized papers; got to courthouse, Sam had entered anew Order; telephone call's w/ June, came back and met him; filed Petition	tele	2.0000	275.0000	550.0000
8/9/2013	GBH	133614-001 / Ramey, Terry / Civil General File Work-work on Motions; met w/ Steve; Met with Steve and Terry; email to Sean	gfw	1.5000	275.0000	412.5000
8/9/2013	SA	133614-001 / Ramey, Terry / Civil Met with client and GBH; drafted and faxed letter to Haywood Sheriff, researched statutes; follow up phone call to Sheriff	meet	0.7500	200.0000	150.0000
8/14/2013	SA	133614-001 / Ramey, Terry / Civil Telephone call w/ client; conferred w/ GBH	tele	0.1500	200.0000	30.0000
8/23/2013	GBH	133614-001 / Ramey, Terry / Civil Telephone call w/ him re: property issues, discussed hearing on Monday morning; telephone call w/ June, she was not here, at beach; meet w/ Steve re: proceeding on Monday	tele	1.2500	275.0000	343.7500
8/23/2013	SA	133614-001 / Ramey, Terry / Civil Met with GBH and prepared proposed order	meet	0.5000	200.0000	100.0000

**Hylter & Lopez, PA**  
Transactions Listing (Wide) Report

Search Description:  
Search for: 133614-001 Search by: Matter ID Stage: (all) Type: (all)

Date	Prof	MatterID/Client Sort Matter Description Narrative	Component Task Code	Units	Price	Value
8/26/2013	GBH	133614-001 / Ramey, Terry / Civil Appearance-Trip to Waynesville, hearing before clerk, other guy tried to continue, she denied; Town was there, she took under advisement; need proof of service	app	1.5000	275.0000	412.5000
8/26/2013	SA	133614-001 / Ramey, Terry / Civil Appearance before the Clerk in hearing on Petition for Surplus funds	app	1.5000	200.0000	300.0000
8/26/2013	SA	133614-001 / Ramey, Terry / Civil General File Work-researched corporation for service of notice; telephone call w/ client	glw	0.5000	200.0000	100.0000
9/16/2013	GBH	133614-001 / Ramey, Terry / Civil Telephone call w/ him; telephone call w/ June; issue of claim	tele	0.3000	275.0000	82.5000
9/17/2013	GBH	133614-001 / Ramey, Terry / Civil General File Work-met w/ June, looked at their pleadings, deciding what to do, told her we would let her know by Thursday	glw	0.6000	275.0000	165.0000
9/27/2013	AS	133614-001 / Ramey, Terry / Civil General File Work-draft notice for clerks hearing to email	glw	0.3500	100.0000	35.0000
10/3/2013	GBH	133614-001 / Ramey, Terry / Civil Telephone call w/ him; telephone call w/ Lawyer in Raleigh; going to have hearing	tele	0.4000	275.0000	110.0000
10/4/2013	GBH	133614-001 / Ramey, Terry / Civil Appearance-Hearing -CSC- met w/ June, no need for hearing	app	1.5000	275.0000	412.5000
			Component Type: Fees	18.7000		4,563.7500
			Grand Total	24.7000		4,683.0200

OCT 21 2013

OCT 21 2013

STATE OF NORTH CAROLINA  
COUNTY OF HAYWOOD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
BEFORE THE CLERK  
FILE NO. 13 SP 252

IN THE MATTER OF THE DISTRIBUTION  
OF SURPLUS PROCEEDS FROM THE  
FORECLOSURE OF A DEED OF TRUST  
Executed by Terry E. Ramey (single)  
and Robin Morgan Ramey (single),  
dated April 13, 2009, and recorded  
on April 20, 2009, in Book 758 at  
Page 514, of the Haywood County  
Public Registry.

ORDER OF DISTRIBUTION OF  
SURPLUS FUNDS

2013 OCT 14 AM 11:55  
HAYWOOD COUNTY, C.S.C.

THIS CAUSE having been heard before The Honorable June L. Ray, Clerk of Superior Court of Haywood County, August 27, 2013 and October 4, 2013, upon the Petition for Surplus Proceeds of Foreclosure by Petitioner Terry E. Ramey, being represented by attorney George B. Hyler, Jr., and the Court makes the following findings of fact and conclusions of law:

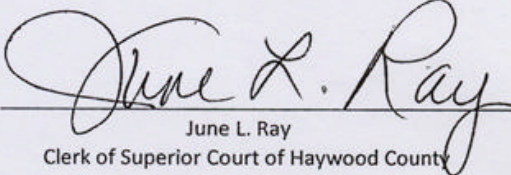
1. That the Clerk of Superior Court has jurisdiction to hear this matter.
2. That a Final Report of Sale was filed in 12 Sp 441 on August 2, 2013 as a result of a Foreclosure against Terry E. Ramey (single) and Robin Morgan Ramey (single).
3. That \$67,448.37 was deposited with the Clerk of Superior Court as Surplus Funds on August 2, 2013.
4. That pursuant to N.C.G.S. 45-21.31 a proceeding to Determine Ownership of Surplus Funds from a foreclosure sale was filed by Terry E. Ramey, Petitioner, on August 8, 2013, in File No. 13 Sp 252.
5. That the Town of Waynesville Tax Collector, Robin Morgan Ramey and Marlin Leasing Corporation were named Respondents.
6. That all parties have been served including Robin Ramey, who did not answer or make an appearance at the hearing held on August 26, 2013 or October 4, 2013.
7. That an Attachment issued by the Town of Waynesville Tax Collector, James C. Robertson, was served on the Clerk of Superior Court of Haywood County, July 26, 2013.
8. That Marlin Leasing Corporation requested that a Writ of Execution be issued on August 27, 2013 by and through their counsel. A Writ of Execution was issued on September 3, 2013 for the outstanding judgment amount of \$35,535.68. On at least two occasions, a deputy from the Haywood County Sheriff's Department has tried to collect the fees to satisfy the outstanding judgment for Marlin Leasing Corporation from the Clerk of Superior Court of Haywood County.
9. That Marlin Leasing Corporation has requested that their attorney's fees be paid out of the surplus funds. Pursuant to N.C.G.S. 45-21.32(d) the Court may in its discretion allow reasonable attorney fees to be paid out of surplus funds proceeds.

OCT 21 2013

Based on the foregoing, FINDINGS OF FACT and CONCLUSIONS OF LAW, it is hereby ORDERED, ADJUDGED AND DECREED, as follows:

1. That the Town of Waynesville be paid \$13,057.75 plus any interest that has accrued since July 26, 2013 out of the surplus funds proceeds for delinquent taxes to be made payable to the Town of Waynesville Tax Collector, 280 Georgia Avenue, Waynesville, NC 28786.
2. That Marlin Leasing Corporation be paid \$35,535.68 plus interest and their attorney fees in the amount of \$2500.00 by and through their counsel of record, Smith, Debnam, Narron, Drake, Saintsing & Myers, L.L.P., Post Office Box 26268, Raleigh, NC 27611.
3. That Terry E. Ramey's attorney, George B. Hyler, Jr. filed a Verified Petition for Attorney's Fees on October 11, 2013 in the amount of \$2500.00.
4. That George B. Hyler, Jr. be paid \$2500.00 for his attorney fees and all remaining monies be paid to Terry E. Ramey by and through his counsel of record, George B. Hyler, Jr., 38 Orange Street, Asheville, NC 28801.

Ordered this the 4<sup>th</sup> day of October, 2013.  
Signed this the 14<sup>th</sup> day of October, 2013.

  
June L. Ray  
Clerk of Superior Court of Haywood County

STATE OF NORTH CAROLINA  
COUNTY OF HAYWOOD/JACKSON

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
CASE NUMBER 13SP252

HAYWOOD CO.,

JUNE RAY )

VS )

TERRY RAMEY )

APPLICATION TO UTILIZE STILL  
PHOTOGRAPHY OR ELECTRONIC  
EQUIPMENT WITHIN THE COURTHOUSE  
FOR RECORDING OR PRESENTATION  
PURPOSES

I, MONROE A. MILLER JR.,  media representative  other am requesting permission to  
(please check the letter below that corresponds to your request)

A.  Utilize  still photography  video recording equipment  audio recording equipment for  
 broadcast/print  presentation purposes in the above-captioned case currently scheduled for  
PENDING in Courtroom \_\_\_\_\_ with Judge JUNE RAY (must be  
authorized by the Presiding Trial Judge);

or

B.  Utilize  still photography  video recording equipment  audio recording equipment for  
 broadcast/print  presentation purposes within the following areas of the courthouse controlled by  
the Court System \_\_\_\_\_ (must be authorized by the  
Presiding Trial Judge or Clerk of Superior Court Office)

On the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

I have read and understand the Local Rules for the 30B Judicial District. **I understand that in A and B, I must submit this application to the Presiding Judge or his/her other designee, who will facilitate obtaining the appropriate authorized signature.** I agree to follow those rules as well as any other rules that may be established. I understand that my failure to follow said rules will subject me to the contempt power of the Court or to such sanctions the Court deems appropriate.

This the 17 day of Sept, 20 13.

OCT 4 2013  
Referred!

Monroe A. Miller Jr.  
Signature of Applicant

\_\_\_\_\_  
Signature of Camera Operator (if different from above)

OCT 29 2013

**HYLER & LOPEZ, PA**  
ATTORNEYS AT LAW  
38 Orange Street  
Asheville, North Carolina 28801  
(828) 254-1070 • (828) 254-1071 Facsimile

George B. Hyler, Jr.  
Robert J. Lopez  
Stephen P. Agan

October 18, 2013

Terry Ramey  
706 Hazelwood Ave.  
Waynesville, NC 28786

Re: Distribution of Surplus Funds

Dear Terry:

In regard to the above referenced matter, I just received a filed copy of the Order entered by June L. Ray, Haywood County Clerk of Superior Court. I've attached a copy of the Order to this letter. Please note it was ordered on the 4<sup>th</sup> day of October and signed and filed on the 14<sup>th</sup> day of October.

As I discussed with you, **you have 30 days in which to appeal this matter to the court trial de novo** before the Superior Court. If your intention is to file a notice of appeal, I suggest you go ahead and do that. I don't see any reason to wait.

As we discussed, I think there is a serious issue regarding the payment to the Town of Waynesville, which I do not think should have been paid. As to the issue of Martin Leasing, I think that is more problematic. It will require some serious research and argument.

The other reason for this letter is because I was distressed by your comments to me and your tone after the last hearing. You seemed to feel that somehow Ms. Ray or someone else had intimidated me, and that I was not representing your best interests. Even though I explained to you that this second hearing was a formality required by the entry of the other party after we had the first hearing, you did not seem satisfied.

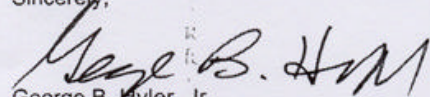
I ask that you contact us immediately upon receipt of this letter. Please advise us if you would like us to do anything further in this appeal. I recommend that you appeal it, and I recommend that you be represented by a lawyer. If you are not satisfied with our representation, that's fine. I am happy for you to get another lawyer. Lastly, we have been sending you copies of our invoices. We had billable time of \$4,746.21 as shown on the attached bill. I indicated to Ms. Ray when she contacted me about our fees that I was willing to accept the \$2,500.00 as a settlement of our fee.

Please let me know as quickly as you can what your intentions are and whether or not you want us to help you. If you want to come in, we will be happy to schedule an appointment.

F:\ELDATA\TERRY\TERRY\Terry\W. Clerk. 10-18-13.apr

Thank you for your consideration.

Sincerely,

  
George B. Tyler, Jr.

GBH/as

Enclosures



Hylar & Lopez, PA

38 Orange Street  
Asheville NC 28801

(828) 254-1070

Terry Ramey  
706 Hazelwood Ave.  
Waynesville, NC 28786

October 18, 2013  
Statement No. 0

For Professional Services Rendered Through October 18, 2013

133614-001: Civil

Professional Services			Hours	Rate	Amount
10/3/2013	GBH	Telephone call w/ him; telephone call w/ Lawyer in Raleigh; going to have hearing.	0.4000	275.00	110.00
10/4/2013	GBH	Appearance-Hearing -CSC- met w/ June, no need for hearing.	1.5000	275.00	412.50
10/10/2013	AS	General File Work-draft petition for fees, prepare w/ letter for J. Ray, sent.	0.3500	100.00	35.00
Sub-total Professional Services:					557.50


Expenses		Units	Price	Amount
10/4/2013	Travel fee.	1.0000	40.0000	40.00
Sub-total Expenses:				40.00

Rate Summary

George B Hylar Jr.	1.9000 hours at \$	275.00 /hr	522.50
Alison Sellers	0.3500 hours at \$	100.00 /hr	35.00
Total hours:	2.2500		

Statement Summary

Current Fees and Expenses:	597.50
Previous Balance Due:	4,120.52
Payments Since Last Billing:	0.00
Interest:	28.19
<b>PLEASE PAY THIS AMOUNT</b>	<b>4,746.21</b>



**NORTH CAROLINA  
STATE BAR**

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ID	5682
Name	Mr. George B. Hyler Jr.
Address	Hyler & Lopez, PA 38 Orange Street
City	Asheville
State	NC
ZIP Code	28801-2341
Country	USA
Work Phone	828-254-1070
Fax	828-254-1071
License Date	08/19/1973
Status	Active
Status Definition	The lawyer is presently eligible to practice law in North Carolina.
Discipline	No public discipline.

THE NORTH CAROLINA STATE BAR  
217 E. Edenton Street, Raleigh, NC 27611 - 919-828-4620



**The North Carolina State Bar**  
Office of Counsel

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Fax: (919) 834-8156  
Web: www.ncbar.gov

August 14, 2014

**AUG 16 2014**

Mr. Monroe A. Miller, Jr.  
19 Big Spruce Lane  
Waynesville, NC 28786

Re: Grievance File No.:13G1053

Dear Mr. Miller:

I received your letter regarding your concerns about the status of your grievance. The functions of the Grievance Committee are to determine whether an attorney has engaged in conduct violating the Rules of Professional Conduct and, if appropriate, to impose discipline for any such violation. In fulfilling these responsibilities, the Grievance Committee conducts an investigation.

Please understand grievances are addressed in the order in which they are received. We received your grievance on November 13, 2013. I cannot place your grievance ahead of grievances submitted by other complainants who, like you, would prefer to have their grievances resolved immediately. You will certainly be notified in writing when the Grievance Committee reaches a decision on your grievance. The State Bar will contact you if we need additional information about your complaint.

Sincerely,

Susannah B. Cox  
Deputy Counsel

Katherine E. Jean, Counsel

A. Root Edmonson, Fern Gunn Simeon, David R. Johnson, Jennifer A. Porter, Margaret T. Cloutier,  
Carmen Hoyme Bannon, Brian P.D. Oten, Leonor Bailey Hodge, Barry S. McNeill, Mary D. Winstead,  
G. Patrick Murphy, Alyssa M. Chen, Susannah B. Cox - Deputy Counsel  
Peter G. Bolac - Trust Account Compliance Counsel