

Carlos E. Mahoney
Curriculum Vitae

- Contact Information:** 400 West Main Street, Suite 709
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cmahoney@gmfmlaw.com
- Legal Employment:** Glenn, Mills, Fisher & Mahoney, P.A., Durham, NC
(Formerly Glenn, Mills & Fisher, P.A.)
Partner, January 2004 - present
Associate, September 1999 - December 2003
- Areas of Practice:** 95% Civil Litigation in the following areas: Personal Injury and Wrongful Death, Civil Rights, Commercial Law, Real Property, Trusts and Estates Litigation, and Professional Negligence
5% Criminal Appellate and Post-Conviction Practice
- Bar Admissions:** U.S. Supreme Court, 2008
U.S. Court of Appeals for the Fourth Circuit, 2006
U.S. District Court Western District of North Carolina, 2002
U.S. District Court Eastern District of North Carolina, 2001
U.S. District Court Middle District of North Carolina, 2000
North Carolina, 1999
- Education:** JD, 1999, University of North Carolina School of Law
BA, 1996, University of North Carolina, Chapel Hill, NC
- Professional Training and Affiliations:** Indigent Defense Services, Eligible for appointment to capital post-conviction cases in North Carolina, 2008-present
Indigent Defense Services, Eligible for appointment to non-capital criminal appeals in North Carolina, 2005 - present
Trial Advocacy, National Institute for Trial Advocacy, Southeast Regional Session, Chapel Hill, NC, May 2002
- Professional Awards:** American Board of Trial Advocates: Associate, Eastern North Carolina Chapter, October, 2010 (membership awarded in November, 2007)
North Carolina Super Lawyers: Selected as a Rising Star in the field of General Litigation, 2010-11
Business North Carolina: Selected as a Legal Elite in the category of Young Guns (best attorneys in North Carolina under 40), 2008
NCATL: Ebbie Award for Exceptional Service and Inspired Commitment to the NC Academy of Trial Lawyers, June 2006

Martindale-Hubbell: Awarded a “BV” rating, April 2005 (highest rating available to a lawyer with less than 10 years of experience)

**Membership Positions:
(Current)**

Board of Governors, North Carolina Advocates for Justice
National Board Representative, Board of Directors, ACLU of North Carolina
Board of Directors, North Carolina Prisoner Legal Services, Inc.
Member, North Carolina Bar Association, Appellate Rules Committee and Professionalism Committee
Member, Durham County Bar Association, Public Service Committee

**Presentations
and Publications:**

NCAJ: Understanding Sovereign and Governmental Immunity - Tips and Techniques for Theories of Liability, June 19, 2010
NCAJ: Trial of a Motor Vehicle Accident Case, May 14, 2010
NCAJ: Understanding Trial Evidence, January 29, 2010
NCPA: Handling Settlements Involving Minors, March 28, 2009
NCAJ: Chair and Speaker, Litigating a Case under the State Tort Claims Act, November 7, 2008
North Carolina Personal Injury Lien Manual, 2008 Supplement
Co-authored Chapter on Ethics with Michael A. Jordan, Esq.
Wake Forest CLE: Claims Against the Award, January 31, 2008
NCATL: Co-Chair, Disbursements Seminar, January 25, 2008
NCATL: Objecting to Jurors for Cause during *Voir Dire*, June 19, 2007
NCATL: Medicaid’s Rights in Third Party Recoveries: 2006 Update, February 16, 2007
Trial Briefs, “A Practical Guide to Avoiding the Sovereign Immunity Defense in Claims Against Municipalities,” December 2006
NCATL: How to Take & Defend Depositions, 2005-2007
North Carolina Prima Facie Tort Manual, 3rd Edition, Edited
Chapters on Assault and Battery and False Imprisonment
NCATL: The Impact of the Patriot Act Upon Civil Rights, June 13, 2006
NCATL: A Practical Guide to Avoiding the Defense of Sovereign Immunity in Claims Against Municipalities, May 12, 2006
NCATL: Settling Claims on Behalf of Minors, Incompetents, and in Wrongful Death Actions, May 5, 2006
Trial Briefs, “ERISA: Ethics and Pitfalls,” co-authored with Michael A. Jordan, Esq., December 2005

NCATL: Recent Developments in Law Enforcement Litigation, October 22, 2005

NCATL: Examining Expert Witnesses, April 1, 2005

Wake Forest CLE: Preparation for Trial, September 23, 2004

Trial Briefs, “Undocumented Immigrants’ Right of Access to North Carolina Courts,” June 2004, October, 2009 (updated by Gabe Talton)

NCOSH Newsletter, “The Relevancy of Immigration Status in State and Federal Legal Proceedings,” Summer 2004

NCATL: The Trial of a Soft Tissue Case, May 2004

NCATL: Prejudice in the Box, April 15, 2004

NCBA: Issues of Race, Ethnicity, and Class at Trial, January 2004

Reported Decisions:

State vs. Dubose, ___ N.C. App. ___, 702 S.E.2d 330 (2010)

In re Will of Baitschora, ___ N.C. App. ___, 700 S.E.2d 50 (2010)

AEL Financial LLC vs. City Auto Parts of Durham, Inc., 70 UCC Rep. Serv. 2d 230 (N.D. Ill. 2009)

Woods vs. Mangum, 682 S.E.2d 435 (2009), *affirmed*, 363 N.C. 827, 689 S.E.2d 858 (2010)

Argonaut Great Central Ins. Co. vs. McDowell County, 626 F.Supp.2d 554 (W.D.N.C. 2009)

Andrews ex. rel. Andrews vs. Haygood, 362 N.C. 599, 669 S.E.2d 310 (2008), 129 S.Ct. 2792 (2009) (*amicus curiae*)

State vs. Dewalt, 190 N.C. App. 158, 660 S.E.2d 111, *review denied*, 362 N.C. 684, 670 S.E.2d 906 (2008)

Jones vs. City of Durham, 183 N.C. App. 57, 643 S.E.2d 631 (2007)

Sitzman vs. Government Employees Ins. Co., 182 N.C. App. 259, 641 S.E.2d 838 (2007)

Jones vs. City of Durham, 361 N.C. 144, 638 S.E.2d 202 (2006)

Massasoit vs. Carter, 439 F.Supp.2d 463 (M.D.N.C. 2006), *affirmed*, 2007 WL 3390462 (4th Cir. 2007)(unpublished), *cert. denied*, 128 S.Ct. 2933 (2008)

Massasoit vs. Carter, 227 F.R.D. 264 (M.D.N.C. 2005)

Lassiter vs. Cohn, 168 N.C. App. 310, 607 S.E.2d 688, *review denied*, 359 N.C. 633, 613 S.E.2d 686 (2005)

Jones vs. City of Durham, 168 N.C. App. 433, 608 S.E.2d 387 (2005)

Barnes vs. Wells, 165 N.C. App. 575, 599 S.E.2d 585 (2004)

In re Will of Smith, 159 N.C. App. 651, 583 S.E.2d 615, *review denied*, 357 N.C. 657, 590 S.E.2d 861 (2003)

Notable Verdicts, Settlements, and Rulings

(The outcome of a particular case cannot be based upon this law firm's past results)

October 27, 2009: \$850,000 verdict (\$650,000 for compensatory damages and \$200,000 punitive damages) in a Federal civil rights action for personal injuries suffered by a 27-year old man in a police shooting by a deputy sheriff. The case was subsequently settled for \$1,230,000. Reported in NC Lawyers Weekly on December 7, 2009. Handled with Stewart W. Fisher.

March 6, 2009: \$5,500,000 total verdict in a McDowell County civil action for personal injuries suffered by a female motorist (\$2,500,000), personal injuries suffered by a 6-year old girl (\$1,000,000), and the wrongful death of a 2-year old girl (\$2,000,000) in a motor vehicle accident caused by a deputy sheriff. At trial, liability was admitted but damages were contested. The case was subsequently settled for \$1,071,875 due to limited insurance coverage and multiple claimants. Reported in NC Lawyers Weekly on April 13, 2009. Handled with William S. Mills and Jason Orndoff.

December 4, 2008: \$1,100,000 settlement in a Wake County civil action for personal injuries suffered by a female motorist in a motor vehicle accident with a city recycling truck. Reported in NC Lawyers Weekly on December 22, 2008 and The News & Observer on December 31, 2008. Handled with William S. Mills.

September 19, 2008: Order issued in a Durham County criminal action granting a motion for appropriate relief on the grounds of ineffective assistance of counsel, newly discovered evidence, and failure to disclose exculpatory evidence. The charges were dismissed and the client was freed from prison nearly seven years after his convictions at the age of 15. Reported in The News & Observer on September 20, 2008.

April 27, 2007: \$375,000 settlement in a Durham County civil action for personal injuries suffered by a female pedestrian in a motor vehicle accident caused by a city law enforcement officer. Handled with Robert B. Glenn, Jr., Stewart W. Fisher, and William S. Mills. Reported in The Herald-Sun and News & Observer on May 11, 2007.

February 20, 2004: \$240,995 verdict in an Orange County civil action for personal injuries and property damage suffered by a male bicyclist in a motor vehicle accident. Reported in NC Lawyers Weekly on August 9, 2004. Handled with Robert B. Glenn, Jr.

October 1, 2003: \$600,000 confidential settlement in a Durham County civil action for personal injuries suffered by a female tenant as a result of inadequate security. Reported in NC Lawyers Weekly on November 17, 2003. Handled with Robert B. Glenn, Jr. and Stewart W. Fisher.

April 15, 2003: \$800,000 confidential settlement in a Wake County civil action for the wrongful death of a 16-year old boy in a single-car accident caused by an impaired driver. Reported in NC Lawyers Weekly on November 3, 2003. Handled with William S. Mills and Matthew B. Murray.