

CONFLICT OF INTEREST

District Attorneys --Recusal--Former Defense Attorneys Joining Prosecutor's Office

State v. Anthony, 354 NC 372 (2001)

The trial court in a capital prosecution for first-degree murder properly denied defendant's motion to recuse the district attorney's office because two of defendant's attorneys at the public defender's office had joined the district attorney's office. The two attorneys were reassigned by the public defender's office before they obtained confidential information, neither discussed the case with other prosecutors at their new employment, and the attorneys acted properly in avoiding all contact with the case after changing jobs. Defendant failed to show the actual conflict of interest required by [State v. Camacho, 329 N.C. 589](#).