

## Nifong sets resignation date

*by UPI*

RALEIGH, N.C. - Durham County, N.C., District Attorney Mike Nifong plans to return to North Carolina to resign, the lawyer prosecuting him said.

The judge in the case has scheduled a hearing for Monday to decide whether to formally remove Nifong from office. He has been suspended because of his conduct in the Duke rape case.

Judge Orlando Hudson has the option of simply accepting Nifong's resignation, The Raleigh News & Observer reported.

"He indicated to me in clear, uncertain terms ... that he would be back in the state this weekend and intended to prepare a letter of immediate resignation and submit it to the governor," lawyer Robert Zaytoun said.

Another judge, W. Osmond Smith III, has set a July 26 hearing on whether to charge Nifong with criminal contempt.

A disciplinary committee of the North Carolina Bar voted this month to disbar Nifong. The panel found that he committed numerous ethical breaches in his investigation of a charge that three Duke University lacrosse players raped an exotic dancer hired for a team party.

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