



**FEDERAL
RESERVE
BANK**
of ATLANTA

CHAPELLE D. DAVIS
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June 8, 2017

Ms. Nery C. Sanchez
REDACTED
Miami, Florida 33135

Re: Criminal Conviction - Prohibition from Banking Industry

Dear Ms. Sanchez:

The Federal Reserve Bank of Atlanta has become aware that you were convicted and found guilty of "Uttering a forged instrument" and "Grand theft in the first degree" in connection with your employment at Metro Bank of Dade County. A copy of your judgment of conviction is attached. Because you have been convicted of a crime involving dishonesty or breach of trust [or money laundering], you are automatically subject to the prohibitions set forth in Section 19 of the Federal Deposit Insurance Act, 12 U.S.C. § 1829 ("Section 19"), for financial organizations and in Section 205 of the National Credit Union Act, 12 U.S.C. § 1785(d) ("Section 205(d)", for insured credit unions.]

Section 19 and Section 205(d) prohibit you from becoming or continuing as an institution-affiliated party with respect to any of the financial organizations described below. That means that you may not, among other things, act as an employee, officer, director, or agent of these banking organizations or credit unions. Nor may you otherwise participate, directly or indirectly, in the conduct of the affairs of any of these organizations. You are also prohibited from directly or indirectly owning or controlling any insured depository institution or holding company. These statutes do not prohibit you from being a normal, arms-length customer of a banking organization or credit union, such as having a loan, checking or savings account.

The prohibitions of Section 19 and Section 205(d) cover all insured depository institutions, including, but not limited to, any bank, savings association or credit union, and their holding companies, as well as Edge Act corporations and Agreement corporations. The Federal Deposit Insurance Corporation may grant written consent for you to engage in otherwise prohibited conduct with respect to insured depository institutions, and the Federal Reserve may grant written consent with respect to bank and savings and loan holding companies and Edge Act and Agreement corporations. The National Credit Union Administration Board may grant consent for insured credit unions. The automatic prohibition does not cover affiliation with a subsidiary of a bank holding company that is not itself a bank holding company, or a subsidiary of a savings and loan holding company that is not itself a savings and loan holding company, or uninsured branches or agencies of foreign banks, unless the appropriate federal banking agency takes further action against you.

Should you engage in prohibited conduct without obtaining the required consent from the appropriate agency, you could be subject to daily criminal fines of up to \$1,000,000 or up to five years' imprisonment.

This letter will be posted on the public website of the Board of Governors of the Federal Reserve System. If you believe that the prohibitions of Section 19 and Section 205(d) do not apply to you, because, for example, your conviction has been reversed on appeal, or for any other reason, please contact me in writing at this Reserve Bank.

Sincerely,

REDACTED

Chapelle D. Davis

cc: Special Activities Section
Division of Supervision
Federal Deposit Insurance Corporation
550 17th Street N.W.
Washington, D.C 20429

Florida Office of Financial Regulation
200 East Gaines Street
Tallahassee, Florida 32399-0371

Attn: Corporate Security Officer
Capital Bank Corporation
333 Fayetteville Street
Suite 300
Raleigh, North Carolina 27601

James McGuirk, P. A.
Attorney at Law
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Coral Gables, Florida 33134

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Assistant State Attorney(s)
State Attorney's Office
1350 NW 12 Avenue
Miami, Florida 33136

Judgment dated, November 8, 2011, and Sentence, dated February 7, 2012, concerning *State of Florida v. Nery C. Sanchez*, Case No. F09-027729, in the Circuit Court of the Eleventh Judicial Circuit for Miami-Dade County on file.