



BOARD OF PROFESSIONAL RESPONSIBILITY

of the

SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
IN RE: DAVID RANDOLPH RAY, BPR #007803
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BOARD OF PROFESSIONAL RESPONSIBILITY
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FORMER MEMPHIS LAWYER SUSPENDED

David Randolph Ray, formerly of Memphis and currently residing in Tampa, Florida, was suspended from the practice of law for two years by Tennessee Supreme Court Order filed on October 11, 2004. This two year suspension period will be served consecutively to the January 14, 2004 disbarment of his law license imposed in an unrelated proceeding, and shall commence on January 13, 2009. Reinstatement of Ray's law license will not be considered until January 13, 2011, which includes the five years reinstatement wait after disbarment and the two suspension years. Should Ray petition for reinstatement, he must carry the burden by clear and convincing evidence that his reinstatement will not be detrimental to the integrity and standing of the bar, or the administration of justice, or be subversive to the public interest.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Ray in January of 2003 alleging that he had neglected a client's real estate matter which he had been entrusted with in 1999, causing the client to suffer actual damages. Ray did not respond to the petition nor appear at his own disciplinary hearing before the Hearing Panel. In its March 17, 2004 Judgment imposing a two year suspension to be served consecutively to his January 14, 2004 disbarment, the Hearing Panel found the existence of five aggravating circumstances: (a) Ray's pattern of neglect as to his real estate practice; (b) his prior disciplinary offenses, (c) multiple offenses as committed by Ray in the instant case and in the matter which resulted in his disbarment; (d) Ray's bad faith obstruction of the disciplinary process by intentionally failing to comply with the rules of the Board; and (e) Ray's substantial experience in the practice of law. Ray filed no motion for reconsideration of, nor any appeal from the Panel's March 17, 2004 Judgment.

The Tennessee Supreme Court incorporated the Hearing Panel's Judgment verbatim within the Court's October 11, 2004 Order, and assessed the costs of the cause against Ray, for which execution shall issue if necessary.

JDJ:mw

