

IN DISCIPLINARY DISTRICT VIII
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: CHARLES MAURICE AGEE, JR., BPR NO. 005042
Respondent, an attorney licensed
to practice law in Tennessee
(Dyer County)

FILE NO. 65693-8-SC

PUBLIC CENSURE

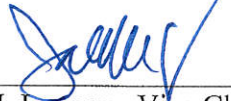
The above complaint was filed against Charles Maurice Agee, Jr., #005042, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered these matters at its meeting on June 11, 2021.

In the representation of a criminal defendant, Mr. Agee requested that his legal assistant communicate with the prosecutor to seek a continuance of the client's upcoming preliminary hearing because of a conflicting obligation in a court in another county. Mr. Agee did not personally speak or communicate directly with the prosecutor. The legal assistant communicated directly with the prosecutor and advised Mr. Agee that the prosecutor had agreed to the continuance. Mr. Agee appeared in Court on the morning of the preliminary hearing and advised the Court that he had spoken directly with the prosecutor by email and she had agreed to the continuance. Mr. Agee's statement omitted the fact that his communications with the prosecutor were entirely conducted through his legal assistant. The prosecutor was not in the courtroom when

the statement was made. The prosecutor later confirmed to the Presiding Judge that she had not agreed to continue the preliminary hearing.

By these acts, Charles Maurice Agee, Jr. has violated Rules of Professional Conduct 3.3(a)(1) (candor towards the tribunal), 5.3 (responsibilities regarding nonlawyer assistance), and 8.4(c) (misconduct), and is hereby Publicly Censured for these violations.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



Joe M. Looney, Vice Chair

7/29/2021

Date