

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: JOHN STEPHEN ANDERSON, BPR #12367

An Attorney Licensed to Practice Law in Tennessee
(Hawkins County)

FILED

DEC 22 2015

Clerk of the Courts
Rec'd By _____

No. M2015-02425-SC-BAR-BP

BOPR Nos. 2013-2274-1-AW, 2015-2433-1-AW

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline (Docket No. 2013-2274-1-AW) filed by the Board of Professional Responsibility (Board) against John Stephen Anderson on November 25, 2013; upon Mr. Anderson's Response to Petition for Discipline filed April 21, 2014; upon a Supplemental Petition for Discipline filed April 25, 2014; upon the Board's Motion for Order Compelling Respondent to Comply with Rule 8.02 of the Rules of Civil Procedure filed July 17, 2014; upon a Hearing Panel for the Board of Professional Responsibility's July 30, 2014 Order Granting Default Judgment on the Supplemental Petition for Discipline; upon the motion of the Board to Deem the Averments in the Petition for Discipline Admitted for Failure to Comply with the July 30, 2014 Order of the Hearing Panel or in the Alternative to Strike the Answer of Respondent and Enter a Default Judgment filed August 29, 2014; upon the Hearing Panel's September 9, 2014 Order striking Mr. Anderson's answer; upon the filing of a Second Supplemental Petition for Discipline on February 10, 2015; upon the Board's Notice of Voluntary Dismissal of the Second Supplemental Petition for Discipline without Prejudice filed March 6, 2015; upon the Hearing Panel's Order of Voluntary Dismissal of the Second Supplemental Petition for Discipline Without Prejudice entered March 11, 2015; upon the final hearing held March 16, 2015, and entry of the Judgment of the Hearing Panel on March 18, 2015; upon Motion of the Board to Alter or Amend the Judgment of the Hearing Panel Entered March 18, 2015, filed on March 24, 2015; upon the Hearing Panel's Order entered April 1, 2015, amending the judgment; upon the filing of an Appeal and Request for Judicial Review by Mr. Anderson on May 1, 2015; upon the Board's Answer to Appeal and Request for Judicial Review filed June 15, 2015; upon the Board's June 15, 2015 Motion to Dismiss Appeal and Request for Judicial Review; upon Mr. Anderson's Conditional Guilty Plea entered September 25, 2015, and approved by the Chancery Court for Hawkins County; and upon the Agreed Judgment entered November 4, 2015, in the Chancery Court for Hawkins County at Rogersville, Tennessee.

This matter is also before the Court upon a Petition for Discipline (Docket No.2015-2433-1-AW) filed March 13, 2015; upon the May 19, 2015 Motion for Default

Judgment and that Charges in Petition for Discipline be Deemed Admitted; upon the Board's June 2, 2015 Supplemental Petition for Discipline; upon the Order of Default Judgment entered by a Hearing Panel for the Board of Professional Responsibility on July 22, 2015; upon the Board's Motion for Default Judgment and that Charges in Supplemental Petition for Discipline be Deemed Admitted filed July 27, 2015; upon the September 4, 2015 Hearing Panel Order of Default Judgment; upon a Conditional Guilty Plea submitted by Mr. Anderson on September 22, 2015; upon the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea entered September 25, 2015; upon consideration and approval of the Order Recommending Approval of the Conditional Guilty Plea (Docket No. 2015-2433-1-AW) and the Chancery Court's Agreed Judgment (Docket No. 2013-2274-1-AW) by the Board of Professional Responsibility on November 13, 2015; and upon the entire record in this cause.¹

From all of which the Court accepts the Order of the Hearing Panel and the Agreed Judgment of the Chancery Court of Hawkins County, Tennessee, and adopts the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea and the Chancery Court's Agreed Judgment as the Court's Order.

On March 31, 2015, Mr. Anderson was summarily suspended by this Court for non-payment of annual registration fees as well as for non-compliance with IOLTA requirements. To date, Mr. Anderson has not requested, nor been granted reinstatement from these suspensions.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

1. Pursuant to Tenn. Sup. Ct. R. 9, §§ 4.2 (2006) and 12.2 (2014), John Stephen Anderson's license to practice law is suspended for (a) one (1) year in Docket No. 2013-2274-1-AW, and (b) five (5) years in Docket No. 2015-2433-1-AW and Board Files 37386c-1-ES; 37747-1-ES; 40804-1-ES; 42390-1-ES; and 42562-1-ES. Mr. Anderson shall serve the five (5) year suspension consecutive to the one (1) year suspension for a total suspension of six (6) years.
2. Pursuant to Tenn. Sup. Ct. R. 9, § 4.7 (2006) and Tenn. Sup. Ct. R. 9, § 12.7 (2014), and as a condition precedent to any reinstatement, Mr. Anderson shall make restitution to the following individuals and shall furnish to the Board of Professional Responsibility proof of restitution. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Anderson shall reimburse TLFCP in the same amount:

- a. Kenneth R. Brickell - \$400.00;

¹ The matters giving rise to the Petitions for Discipline were initiated before the Board prior and subsequent to January 1, 2014, and are governed respectively by Tenn. Sup. Ct. R. 9 (2006) and Tenn. Sup. Ct. R. 9 (2014).

- b. John Rowe - \$3,000.00;
 - c. Donna Wallace - \$400.00;
 - d. Larry Glinsky - \$750.00;
 - e. Mashonda Dishner - \$825.00;
 - f. Joyce Adkins - \$1,416.00;
 - g. Jerry L. Large - \$4,000.00;
 - h. John D. Laster - \$1,500.00;
 - i. Michael Jay Childers - \$250.00;
 - j. Winnie Horton - \$100.00;
 - k. Gerald Wayne Lawson - \$1,779.50;
 - l. Allan Olson - \$1,797.50;
 - m. Mary Anne Farmen - \$250.00; and
 - n. Tammy Russell - \$1,500.00.
3. Prior to seeking reinstatement, Mr. Anderson must meet all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this suspension until the date of reinstatement; and have remitted all court costs and Board costs in this matter.
 4. Additionally, Mr. Anderson shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4 (2014) regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.
 5. Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d) (2014), Mr. Anderson shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$6,042.19 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.
 6. The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11 (2014).
 7. Pursuant to Tenn. Sup. Ct. R. 9, § 28.1 (2014), this Order shall be effective upon entry.

PER CURIAM