



**BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

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RELEASE OF INFORMATION
RE: ALEA DANIELLE ASHBY, BPR# 24069
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

August 10, 2010

NASHVILLE LAWYER DISBARRED

On August 5, 2010, Alea Danielle Ashby, of Nashville, Tennessee, was disbarred by the Tennessee Supreme Court. She was ordered to provide restitution to eight (8) clients.

On August 24, 2009, a Petition for Discipline was filed against Ms. Ashby containing three (3) complaints of disciplinary misconduct. A Supplemental Petition for Discipline containing two (2) more complaints of disciplinary misconduct was filed on November 18, 2009. A Second Supplemental Petition for Discipline containing five (5) additional complaints of misconduct was filed on January 13, 2010. Ms. Ashby did not file an answer to any of the petitions. On May 18, 2010, a hearing was held to determine the appropriate disciplinary sanction. The Hearing Panel found that Ms. Ashby accepted legal fees from clients and then failed to perform work as promised. Ms. Ashby failed to communicate properly with clients. Her failure to communicate with clients was exacerbated by her August 4, 2009 temporary suspension for failure to respond to the Board regarding complaints of disciplinary misconduct. Prior to the temporary suspension, clients were unable to find or communicate with Ms. Ashby except on a sporadic basis. However, following the temporary suspension, Ms. Ashby's lack of communication and failure to properly comply with Tenn. S. Ct. Rule 9, Section 18, resulted in an abandonment of practice and caused serious injury to her clients. Further, Ms. Ashby continued to practice law after her suspension. She misrepresented her licensure status to the Davidson County Circuit Court, opposing counsel, and clients.

Ms. Ashby's actions violate the following Rules of Professional Conduct: 1.3, Diligence; 1.4, Communication; 1.5, Fees; 3.3, Candor to the Tribunal; 3.4, Fairness to Opposing Party and Counsel; 5.5, Unauthorized Practice of Law; 8.1, Bar Admission and Disciplinary Matters; and 8.4, Misconduct.

Ms. Ashby must comply with Sections 18 and 19 of Supreme Court Rule 9 regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement. She must pay the Board's costs and expenses prior to reinstatement to the practice of law.

Ashby 1838-5 rel.doc

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: ALEA DANIELLE ASHBY, BPR #24069
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

FILED
AUG 05 2010
Clerk of the Courts

NO. M 2010-01669-SC-BPR-BP
BOPR No. 2009-1838-5-KH

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed August 24, 2009 by the Board of Professional Responsibility ("Board") against Alea Danielle Ashby ("Respondent"); upon Motion for Default Judgment and That Allegations Contained in Petition for Discipline Be Deemed Admitted filed by the Board on October 27, 2009; upon an Order of Default entered on December 8, 2009; upon a Supplemental Petition for Discipline filed by the Board on November 18, 2009; upon Motion for Default Judgment and That Allegations Contained in Supplemental Petition for Discipline Be Deemed Admitted filed by the Board on January 8, 2010; upon an Order of Default relative to the Supplemental Petition entered on January 27, 2010; upon a Second Supplemental Petition for Discipline filed on January 13, 2010; upon a hearing held on May 18, 2010, which Respondent did not attend; upon Findings of Fact and Conclusions of Law entered by the Hearing Panel on May 27, 2010, which has not been appealed; upon approval of the Board given on June 11, 2010; and upon the entire record in this cause.

From all of which the Court approves the Findings of Fact and Conclusions of Law of the Hearing Panel and adopts the judgment of the Hearing Panel as the Court's Order.

By Order entered August 4, 2009 (M2009-01598-SC-BPR-BP), Respondent was temporarily suspended pursuant to Supreme Court Rule 9, Section 4.3, for failing to respond to three (3) of the disciplinary complaints incorporated into this Petition for Discipline. On February 10, 2010, Respondent filed a Petition for Dissolution of Temporary Suspension which was dismissed due to Respondent's failure to appear for the hearing.

It is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. Respondent, Alea Danielle Ashby, be and is hereby disbarred pursuant to Supreme Court Rule 9, Section 4.1.

2. Pursuant to Supreme Court Rule 9, Section 4.7, Respondent shall pay restitution to the following individuals as set forth below. Payment of restitution shall be a condition precedent to reinstatement.

- a) Jacqueline Frazier (\$960.00);
- b) Deborah Turner (\$1,500.00);
- c) Richard Primm (\$2,500.00);
- d) Darrell Bell (\$1,500.00);
- e) Samantha Floyd (\$2,500.00);
- f) Sarah Brasel (\$1,500.00);
- g) Letcher Miles (\$1,100.00); and
- h) Samuel Osborne (\$400.00).

3. Upon entry of this Order, the Order of Temporary Suspension entered on August 4, 2009 is hereby dissolved.

4. The disbarment shall become effective ten (10) days after the filing of this Order.

5. Respondent shall comply in all aspects with Supreme Court Rule 9, Sections 18 and 19 regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement. Respondent must meet all CLE requirements and all registration requirements prior to reinstatement.

6. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,805.00 and in addition, 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.

7. The Board shall cause notice of this disbarment to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK
JUSTICE

Michael W. Catalano, Clerk, hereby certify that this is a true and exact copy of the original

Order
filed in the cause.
This 5 day of June, 2010
CLERK OF COURT

By: James J. [Signature]