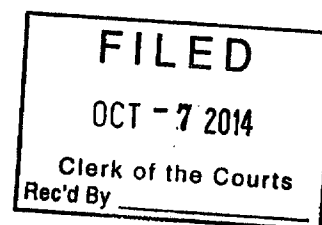


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: KENT LOWERY BOOHER, BPR #11416
An Attorney Licensed to Practice Law in Tennessee
(Roane County)

No. M2014-01892-SC-BAR-BP
BOPR No. 2014-2371-2-KH(22.3)



ORDER OF ENFORCEMENT

This matter is before the Court pursuant to Tenn. Sup. Ct. R. 9, § 22.3, upon a Notice of Submission filed by Disciplinary Counsel for the Board of Professional Responsibility consisting of a certified copy of the Judgment of the Criminal Court of Loudon County, Tennessee, in the matter of *State of Tennessee v. Kent Lowery Booher* (attached as Exhibit A) demonstrating that Kent Lowery Booher, a Tennessee attorney, has pled guilty to a serious crime, i.e., statutory rape, in violation of T.C.A. 39-13-506.

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

1. Kent Lowery Booher is suspended from the practice of law on this date pending further orders of this Court, pursuant to Tenn. Sup. Ct. R. 9, § 22;
2. This matter shall be referred to the Board of Professional Responsibility for the institution of a formal proceeding in which the sole issue to be determined shall be the extent of the final discipline to be imposed;
3. Kent Lowery Booher shall fully comply with the provisions of Tenn. Sup. Ct. R. 9, § 28, concerning the responsibilities of suspended attorneys; and
4. The Board of Professional Responsibility shall cause notice of this suspension to be published as required by Tenn. Sup. Ct. R. 9.

PER CURIAM

Lisa Niles

LOUDON COUNTY CIRCUIT COURT CLERK



September 23, 2013

Board of Professional Responsibility
Suite 220
10 Cadillac Drive
Brentwood, TN 37027

Re: Kent L. Booher, BPR 011416, Judgment Orders of conviction

Dear Sir/Madam:

Enclosed please find certified copies of Judgment Orders in Loudon County Criminal Court case number 2013-CR-164A, State of Tennessee vs. Kent L. Booher. These orders contain the conviction of Statutory Rape against the above referenced attorney.

The certified copies are being forwarded as ordered by the court.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Niles".

Lisa Niles,
Circuit Court Clerk
Loudon County



RECEIVED

SEP 25 2014

BOARD OF PROFESSIONAL
RESPONSIBILITY

Circuit & Criminal Court
P.O. Box 280
Loudon, TN 37774
Phone (865) 458-2042

Exhibit A

General Sessions & Juvenile Court
12680 Hwy. 11W - Suite 3
Lenoir City, TN 37771
Phone (865) 986-3505

IN THE CRIMINAL COURT FOR LOUDON COUNTY, TENNESSEE

Case Number: 2013-CR-164 A Count: 450 Counsel for the State: FRANK HARVEY
 Judicial District: 9th Judicial Division: _____ Counsel for the Defendant: BRIAN NICHOLS
 State of Tennessee Retained Pub Def Appt Private Atty Appt
 vs. Counsel Waived Pro Se
 Defendant: KENT L. BOOHER Alias: _____ Date of Birth: 01/13/1955 Sex: Male
 Race: White SSN: _____ Driver License #: _____ Issuing State: _____
 State ID #: _____ County Offender ID # (if applicable): _____ TOMIS/TDOC #: _____
 Relationship to Victim: _____ Victim's Age: 14
 State Control #: _____ Arrest Date: _____ Indictment Filing Date: _____

FILED & ENTERED
9-23-2014
MINUTE BOOK # 126
PAGE NO. _____
Jessie Melton
CIRCUIT COURT CLK

JUDGMENT Original Amended Corrected

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment.
 On the 23rd day of September, 2014, the defendant:

| | |
|---|---|
| <input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Dismissed/Nolle Prosequi <input type="checkbox"/> Pled Nolo <input type="checkbox"/> Pled Guilty - Certified Question Findings Incorporated by Reference Is found: <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Jury Verdict <input type="checkbox"/> Not Guilty by Reason of <input type="checkbox"/> Bench Trial | Indictment: Class (circle one) 1 st A B C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Indicted Offense Name AND TCA §: <u>39-13-506 - AGGRAVATED STATUTORY RAPE</u> Amended Offense Name AND TCA §: _____ Offense Date: <u>12/01/2012</u> County of Offense: <u>LOUDON</u> Conviction Offense Name AND TCA §: <u>39-13-506 - STATUTORY RAPE</u> Conviction: Class (circle one) 1 st A B C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Is this conviction offense methamphetamine related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sentence Imposed Date: <u>09/23/2014</u> |
|---|---|

After considering the evidence, the entire record, and in the case of sentencing, all factors in Tennessee Code Annotated Title 40, Chapter 35, all of which are incorporated by reference herein, it is ORDERED and ADJUDGED that the conviction described above is imposed hereby and that a sentence and costs are imposed as follows:

| | | | | |
|---|--|--|---|--|
| Offender Status (Check One) <input type="checkbox"/> Mitigated <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Multiple <input type="checkbox"/> Persistent <input type="checkbox"/> Career <input type="checkbox"/> Repeat Violent | Release Eligibility (Check One) <input type="checkbox"/> Mitigated 20% <input checked="" type="checkbox"/> Mitigated 30% <input type="checkbox"/> Standard 30% <input type="checkbox"/> Multiple 35% <input type="checkbox"/> Persistent 45% <input type="checkbox"/> Career 60% <input type="checkbox"/> Agg Rob 85% <input type="checkbox"/> Violent 100% <input type="checkbox"/> Repeat Viol 100% | <input type="checkbox"/> Agg Rob w/Prior 100% <input type="checkbox"/> Multiple Rapiat 100% <input type="checkbox"/> Child Rapiat 100% <input type="checkbox"/> Child Predator 100% <input type="checkbox"/> Agg Rapiat 100% <input type="checkbox"/> Muk 39-17-1324 100% <input type="checkbox"/> At 1 st Degree Murder w/SBI 85% <input type="checkbox"/> Agg Child Neglect/Endangerment 70% <input type="checkbox"/> Agg Assault w/Death 75% | Concurrent with: Consecutive to: Count #5 | Pretrial Jail Credit Period(s): From _____ to _____ From _____ to _____ From _____ to _____ |
|---|--|--|---|--|

Sentenced To: TDOC County Jail Workhouse
 Sentence Length: 1 Years _____ Months _____ Days _____ Hours Life Life w/out Parole Death
 Mandatory Minimum Sentence Length: 39-17-417, 39-13-513, 39-13-514, or 39-17-432 in Prohibited Zone or 55-10-401 DUI 4th Offense
 or 39-17-1324 Possession/Employment of Firearm or 40-39-208, -211 Violation of Sex Offender Registry
 Period of incarceration to be served prior to release on probation or Community Corrections: _____ Months _____ Days _____ Hours
 Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs: _____ % (Misdemeanor Only)
 Alternative Sentence: Sup Prob Unsup Prob Comm Corr (CHECK ONE BOX) 1 Years _____ Months _____ Days Effective: 09/23/2014
 WAS DRUG COURT ORDERED AS A CONDITION OF THE ALTERNATIVE SENTENCE? Yes No

| | |
|--|---|
| Court Ordered Fees and Fines: \$ _____ Court Costs <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> State \$ _____ Fine Assessed \$ _____ Traumatic Brain Injury Fund (68-55-301 et seq.) \$ _____ Drug Testing Fund (TN Drug Control Act) \$ _____ CICF \$ _____ Sex Offender Tax \$ _____ Other: _____ | Restitution: Victim Name _____ Address _____ Total Amount \$ _____ Per Month \$ _____ <input type="checkbox"/> Unpaid Community Service: _____ Hours _____ Days _____ Weeks _____ Months |
|--|---|

The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis.
 Pursuant to 39-13-521 the defendant is ordered to provide a biological specimen for the purpose of HIV testing.
 Pursuant to 39-13-524 the defendant is sentenced to community supervision for life following sentence expiration.
 Pursuant to Title 68, Chapter 11, Part 10, the clerk shall forward this judgment to the Department of Health.

Special Conditions
 One (1) yr TDOC, suspended to Sup. Prob. in Roane Co. Consecutive to Count 5 for overall sentence of 3 yrs. Sex offender registry upon plea & registry for ten (10) yrs after completion of three (3) yrs of supervised probation, for overall sentence of thirteen (13) yrs on registry. Standardized treatment for sex offenders. No application for diversion. No contact-directly, indirectly, through 3rd party or via media - with minor victim K.L.V., who was 14 yrs old during offenses. No formal press release by District Attorney. All runs seized shall be given to Faith Booher. One webcam seized shall be returned to Defendant. No fine. Court costs. Counts 1, 3, 6 dismissed/costs to State.

PAUL G. SUMMERS
 Judge's Name _____ Judge's Signature _____
 Counsel for State/Signature (optional) _____ Defendant/Defendant's Counsel/Signature (optional) _____
 Date of Entry of Judgment: 9/23/14

I, _____, clerk, hereby certify that, before entry by the court, a copy of this judgment was made available to the party or parties who did not provide a signature above.

IN THE CRIMINAL COURT FOR LOUDON COUNTY, TENNESSEE

Case Number: 2013-CR-164 A Count: 5 Counsel for the State: FRANK HARVEY
 Judicial District: 9th Judicial Division: _____ Counsel for the Defendant: BRIAN NICHOLS
 State of Tennessee Retained Pub Def Appt Private Atty Appt
 vs. Counsel Waived Pro Se
 Defendant: KENT L. BOOHER Alias: _____ Date of Birth: 01/13/1955 Sex: Male
 Race: White SSN: _____ Driver License #: _____ Issuing State: _____
 State ID #: _____ County Offender ID # (if applicable): _____ TOMIS/TDOC #: _____
 Relationship to Victim: _____ Victim's Age: 17
 State Control #: _____ Arrest Date: _____ Indictment Filing Date: 9-23-2014

JUDGMENT Original Amended Corrected

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment.
 On the 23rd day of September, 2014, the defendant:

PAGE NO. _____
Debra Nelson
 CIRCUIT COURT CLERK

| | |
|---|---|
| <input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Dismissed/Nolle Prosequi <input type="checkbox"/> Pled Nolo <input type="checkbox"/> Pled Guilty - Certified Question Findings Incorporated by Reference Is found: <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Jury Verdict <input type="checkbox"/> Not Guilty by Reason of <input type="checkbox"/> Bench Trial | Indictment: Class (circle one) 1 st A B C D E Indicted Offense Name AND TCA §: <u>39-13-506 - AGGRAVATED STATUTORY RAPE</u> Amended Offense Name AND TCA §: _____ Offense Date: <u>12/01/2012</u> County of Offense: <u>LOUDON</u> Conviction Offense Name AND TCA §: <u>39-13-506 - STATUTORY RAPE</u> Conviction: Class (circle one) 1 st A B C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Is this conviction offense methamphetamine related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sentence Imposed Date: <u>09/23/2014</u> |
|---|---|

After considering the evidence, the entire record, and in the case of sentencing, all factors in Tennessee Code Annotated Title 40, Chapter 35, all of which are incorporated by reference herein, it is ORDERED and ADJUDGED that the conviction described above is imposed hereby and that a sentence and costs are imposed as follows:

| Offender Status (Check One) | Release Eligibility (Check One) | Concurrent with: | Pretrial Jail Credit Period(s): |
|--|---|---|--|
| <input type="checkbox"/> Mitigated <input checked="" type="checkbox"/> Standard <input type="checkbox"/> Multiple <input type="checkbox"/> Persistent <input type="checkbox"/> Career <input type="checkbox"/> Repeat Violent | <input type="checkbox"/> Mitigated 20% <input type="checkbox"/> Mitigated 30% <input checked="" type="checkbox"/> Standard 30% <input type="checkbox"/> Multiple 35% <input type="checkbox"/> Persistent 45% <input type="checkbox"/> Career 60% <input type="checkbox"/> Agg Rob 85% <input type="checkbox"/> Violent 100% <input type="checkbox"/> Repeat Viol 100% | <input type="checkbox"/> Agg Rob w/Prior 100% <input type="checkbox"/> Multiple Rapiat 100% <input type="checkbox"/> Child Rapiat 100% <input type="checkbox"/> Child Predator 100% <input type="checkbox"/> Agg Rapiat 100% <input type="checkbox"/> Mch 39-17-1324 100% <input type="checkbox"/> Att 1 st Degree Murder w/SBI 85% <input type="checkbox"/> Agg Child Neglect/Endangerment 70% <input type="checkbox"/> Agg Assault w/Death 75% | From _____ to _____ From _____ to _____ From _____ to _____ From _____ to _____ |

Sentenced To: TDOC County Jail Workhouse
 Sentence Length: 2 Years _____ Months _____ Days _____ Hours Life Life w/out Parole Death
 Mandatory Minimum Sentence Length: 39-17-417, 39-13-513, 39-13-514, or 39-17-432 in Prohibited Zone or 55-10-401 DUI 4th Offense
 or 39-17-1324 Possession/Employment of Firearm or 40-39-208, -211 Violation of Sex Offender Registry
 Period of incarceration to be served prior to release on probation or Community Corrections: _____ Months _____ Days _____ Hours
 Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs: _____ % (Misdemeanor Only)
 Alternative Sentence: Sup Prob Unsup Prob Comm Corr (CHECK ONE BOX) 2 Years _____ Months _____ Days Effective: 09/23/2014

WAS DRUG COURT ORDERED AS A CONDITION OF THE ALTERNATIVE SENTENCE? Yes No

| | |
|--|---|
| Court Ordered Fees and Fines: Costs to be Paid by \$ _____ Court Costs <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> State \$ _____ Fine Assessed \$ _____ Traumatic Brain Injury Fund (68-55-301 et seq.) \$ _____ Drug Testing Fund (TN Drug Control Act) \$ _____ CICF \$ _____ Sex Offender Tax \$ _____ Other: _____ | Restitution: Victim Name _____ Address _____ Total Amount \$ _____ Per Month \$ _____ <input type="checkbox"/> Unpaid Community Service: _____ Hours _____ Days _____ Weeks _____ Months |
|--|---|

- The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis.
 Pursuant to 39-13-521 the defendant is ordered to provide a biological specimen for the purpose of HIV testing.
 Pursuant to 39-13-524 the defendant is sentenced to community supervision for life following sentence expiration.
 Pursuant to Title 68, Chapter 11, Part 10, the clerk shall forward this judgment to the Department of Health.

Special Conditions
 Two (2) yrs TDOC, suspended to Sup. Prob. in Roane Co. Consecutive to Count 4 for overall sentence of 3 yrs. Sex offender registry upon plea & registry for ten (10) yrs after completion of three (3) yrs of supervised probation, for overall sentence of thirteen (13) yrs on registry. Standardized treatment for sex offenders. No application for diversion. No contact-directly, indirectly, through 3rd party or via media - with minor victim K.L.V. who was 14 yrs old during offenses. No formal press release by District Attorney. All guns seized shall be given to Faith Booher. One webcam seized shall be returned to Defendant. No fine. Court costs. Counts 1, 3, 6 dismissed/costs to State.

PAUL G. SUMMERS Judge's Name *Paul G. Summers* Judge's Signature 9/23/14 Date of Entry of Judgment
 _____ Counsel for State/Signature (optional) _____ Defendant/Defendant's Counsel/Signature (optional)

I, _____, clerk, hereby certify that, before entry by the court, a copy of this judgment was made available to the party or parties who did not provide a signature above.