# 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) FILED

OCT - 7 2014

Clerk of the Courts

Rec'd By

#### 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,

Lisa Niles, Circuit Court Clerk Loudon County

RECEIVED

SEP 2 5 2014

BOARD OF PROFESSIONAL RESPONSIBILITY

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-1	64 A Cou	n: 45	<b>6</b> Cou	msel for th	e State: _		FRANK HA	RVEY		
Judicial District		u Ju	dicial Division:			Counsel for	the Defe	ndant:	BRIAN	NICHOLS		
State of Tenne						R	etained	Pub Def	Appt Private:	Atty Appt		
VS.						_		/aived 🔲 Pr				
Defendant:		KENT L. B	OOHER	Alias: _				Date of I	Birth: <u>01/13/19</u>	55 Sex:	Male	
										& ENTE		
State ID #			County Offender ID	# (if appli	cable):			TOM	IIS/TDOC #	00 20112	110	
Relationship to	Victim:			Vict	im's Age:	14			9-	<u> 20</u> 20	17	
State Control #				•			ibal	ctment Filins	Date MINUT	E BOOK #	1210	
			JUDGMENT	☑ Origi		Amended		Corrected			ي-سان	
		`	the State and the defend	_			_		PAGEN		<u> </u>	
On the 23rd	•		September		, the defen		na A at I a	i Runcur	Jaures	appel	sex	
									CIRCL!	TCOURT		
☑ Pled Guilty ☐ Dismissed/Nolle Prosequi				1	Indictment: Class (circle one) 1 <sup>st</sup> A B C <u>D</u> E   ☑ Felony ☐ Misdemeanor							
☐ Pled Nolo									VATED STATUTORY	XAJE		
Pled Guilty - Certified Question Findings Incorporated by												
Reference	Reference				Offense Date: 12/01/2012 County of Offense: LOUDON  Conviction Offense Name AND TCA §: 39-13-566 - STATUTORY BAPE							
				3						7		
ls found:	⊠ Guilt		t Guilty			•	•	ABC	-	Z Felony 🔲 Mi	sciemeanor	
☐ Jury Verdict	□ Not C	juilty by Re	ason of				•	nme related?	☐ Yes ☑ No			
☐ Bench Trial						Date: _09/				-		
			record, and in the case of IUDGED that the convict								orporated by	
Offender Status	7		Release Eligibility			Concurren			Pretrial Jail Cre			
(Check One)			(Check One)									
Mitigated		igated 20%	Agg Rob w/Prior 100%	1=	gree Murder	1			From	to		
Standard Multiple		igated 30% ndard 30%	☐ Multiple Rapist 100% ☐ Child Rapist 100%	1	Pres Zone	ł						
Persistent	□ Mu	kiple 35%	Child Predator 100%	Cang	Keleted	Consecutiv	ve to:		From	to		
Career		ristent 45%	Agg Rapist 100%			Count #5			From	to		
Repeat Violent		ver 60% g Rob 85%	Mult 39-17-1324 100% Att 1st Degree Murder v			1			1			
		lant 100%	Agg Child Neglect/End		0%	ł			From	to		
			Agg Assault w/Death ?			<u> </u>						
Sentenced To:		TDOC	County Jail		Workhous							
Sentence Length:	_1_	Years	MonthsDays	·i	Hours	Life	Life	w/out Parole	Death	•		
			h:39-17-417, 39							DUI 4th Offense	•	
or	39-17-13	24 Possessio	m/Employment of Firears ior to release on probation	t <i>or</i> n or Comm	40-39-2 waity Come	208, -211 Vi ctions:	olation of	Sex Offender	Registry Hours			
Minimum ser	vice prior to	eligibility fo	w work release, furlough,	trusty state	s and rehal	ilitative pro	grains:		lisdemeanor Only)			
Alternative Sente	nce: 🔯 S	ap Prob 🔲 l	Jusup Prob 🔲 Comm C	or (CHE	CK ONE BO	OX)	/ cars	_Months	_Days Effective:	09/23/2014		
	W	AS DRUG C	OURT ORDERED AS A	CONDITI	ON OF TH	e altern	ative si	ENTENCE?	☐ Yes Ø No			
Court Ordered F	ees and Fig	ies:	Costs to be Paid by			371 31						
SCourt Costs					Restitution: Victim Name							
\$Fine Assessed					Address							
\$ Traumatic Brain Injury Fund (68-55-301 et seq.)										<u>_</u>		
S Drug Testing Fund (TN Drug Control Act)					Total Amount \$ Per Month \$							
\$C	ıx	-										
\$0	ther:					Community		Hours	Days	Weeks	_Months	
	Ø	The Defend	ant having been found gu	ilty is rend	ered infamo	orde	red to pro	vide a biologic	al specimen for the	purpose of DN	A analysis.	
		Pursuar Pursu	t to 39-13-521 the defend ant to 39-13-524 the defe	ant is order ndent is ser	ted to provid	de a biologic ommunity si	al specim	en for the purp for life follow	ose of HIV testing	, stion		
Special Condition	25		suant to Title 68, Chapter									
Dise (1) yr TDOC,	suspended (	o Sup. Prob.	in Rosne Co. Consecutiv	e to Count	5 for overa	i sentence o	f 3 yrs. Se	x offender reg	istry upon plea & :	egistry for ten (	(0) yrs after	
ompletion of three	(3) yn of ( , indirectly	rupervised pr	obation , for overall sente party or via media — with	nce of thir	teen (13) yr im K.I.V	s on registry	. Standard	ized treatment	for sex offenders.	No application i	for diversio	
Il guns seized sha	ll be given	to Faith Book	per. One webcam eizod	de set	med to De	fendant, No	fine, Cour	t costs. Counts	1. 3. 6 dismissed/	gosts to State.	лимису.	
PAU	L G. SUM	MERS	\ <del>}</del>	سيدلج	Trom		_		91	23/14		
Jud	ge's Name					Signature	2	<u> </u>	Day Af	Enter of Judge	nent	
		al for Sun	/Signature (optional)			D-6	<u> </u>	Y	unsel/Signature (	antioD		
_	Count		• • • • •									
l		, clerk, h	ereby certify that, befor	e entry by	the court, I	copy of the	is judgme	nt was made	evailable to the pr			
eparaisanspirene	e above.									1	RDA 1167	

### IN THE CRIMINAL COURT FOR LOUDON COUNTY, TENNESSEE

Case Number:	2013-CR-1	64 A	Count:	5 1/4 Co	unsel for the State	::	FRANK HARVEY			
Judicial District: 9 <sup>th</sup> Judicial Division:					Counsel for the D	efendant:	BRIAN NICHOLS			
State of Tennesse					□ Retaine	Appt Private Atty Appt				
VS.					Counse	l Waived 🔲 Pn	o Se			
Defendant:	KENT L. B	OOHER	Al	ias:		Date of I	Birth: 01/13/1955 Sex: <u>Male</u>			
Race: W	hite SSN:				ense #:					
Ctata ITS #1		County Offend	<b>cr ID</b> # (i)	fapplicable):		TOM	115/1DOC#:			
Relationship to V	ictim:			Victim's Age	: <u>_//</u>		4-23 2014			
State Control #: _	ictim:	Алтеst	Date:		li	ndictment Filing	Date: MINUTE BOOK # 124			
	•	JUDGMENT	. 🖸	Original [	Amended	Corrected	PAGE NO.			
Comes the District A On the 23rd	attorney General for day of			with counsel of 2014 , the defe		judgment.	Leura meesing			
☑ Pled Guilty	☐ Dismissed.	/Nolle Prosequi				1ª A B C	D E GEORGE Misdemeanor			
☐ Picd Nolo		•	i	Indicted Offense Name AND TCA §: 39-13-506 - AGGRAVATED STATUTORY RAPE						
Pled Guilty - Cer	rtified Question Findi	ngs incorporated b	y	Amended Offens	e Name <u>AND</u> TCA	<b>§</b> :	•			
Reference	•			Offense Date: 12/01/2012 County of Offense: LOUDON						
			- 1	Conviction Offer	nse Name <u>AND</u> TC	4 §: 39-13-506~BTA	TUTORY RAPE			
Is found:	Guilty 🔲 No	t Guilty	l	Conviction: Ck	ss (circle one)	1"A B C	D E			
☐ Jury Verdict [	Not Guilty by Re	eason of		Is this conviction	offense methamph	etamine related?	☐ Yes ☑ No			
Bench Trial			1	Sentence Impose	d Date: <u>09/23/201</u>	14				
							10, Chapter 35, all of which are incorporated by			
			onviction	described above i			and costs are imposed as follows:			
Offender Status (Check One)		Release Eligibility (Check One)			Concurrent with	:	Pretrial Jail Credit Period(s):			
☐ Mitigated	☐ Mitigated 20%	Agg Rob w/Prie	× 100%   [	1ª Degree Murde	7		Fromto			
Standard	Mikigeted 30%	Multiple Rapist	100%	Drug Free Zone						
Multiple	Standard 30%	Child Rapist 10		Gang Related			From to			
☐ Persistent ☐ Career	Multiple 35% Persistent 45%	Child Predator Agg Rapist 100		······································	Consecutive to:					
Repeat Violent	Career 60%	☐ Mult 39-17-132			Count #4		From to			
	Age Rob 85%	Att 1" Degree h		T 85%			_			
	Violent 100%	Agg Child Neg		ranent 70%	1		From to			
Sentenced To:	Repeat Viol 100%			F3.32 11						
		County .		☐ Workbou			<b>D</b>			
Sentence Length:	Years					ife w/out Parole	· <del></del>			
	mum Sentence Lengti				or 39-17-432 in Pro		55-10-401 DUI 4th Offense			
Period of incarce	39-17-1324 Possessio tration to be served pr	onvernipioymeut or nice to release on m	rucum <i>or</i> nhation or	40-39 Community Con	-208, -211 V1018000 rections: Mo	oi Sex Unender	Registry Hours			
Minimum servic	e prior to eligibility for	or work release, fu	lough, trus	ty status and rebi	bilitative programs:	% (M	lisdemeanor Only)			
Alternative Sentenc	e: 🖾 Sup Prob 🗍 1	Unsup Prob 🔲 C	omm Corr	(CHECK ONE I	BOX) 2 Years	Months	Days Effective:09/23/2014			
	WAS DRUG C	OURT ORDERE	AS A CO	NDITION OF T	HE ALTERNATIVE	E SENTENCE?	☐ Yes ☑ No			
Court Ordered Fee	and Fines:	Costs to be Pai	d by	T	TV: >-					
\$ Cour	at Costs	_	State	Restitution: Victim Name						
	Assessed			Address						
\$ Trau	ımatic Brain İnjury Fu	and (68-55-301 et s	eq.)	l	***************************************					
	g Testing Fund (TN D	-	• • •	Total Amount \$ Per Month \$						
5 CIC	'	Sex Offe	nder Tax							
\$ Othe	<b>:</b>			☐ Unpai	d Community Service	e: Hours	Days Weeks Months			
	☑ The Defend	iant having been fo	and guilty	is rendered infan	ous and ordered to	provide a biologic	al specimen for the purpose of DNA analysis.			
	Pursuan	nt to 39-13-521 the	defendant i	s ordered to prov	ide a biological spec	timen for the purp	ose of HIV testing.			
Special Conditions		mant to 39-13-524 to	ie detendar Thanter 11	it is sentenced to Part 10 the cleri	community supervises that forward this is	tion for life follow	ring sentence expiration.  spartment of Health.			
							gistry upon plea & registry for ten (10) yrs after			
completion of three (3	) yrs of supervised pr	robation , for overa	ll sentence	of thirteen (13)	rs on registry. Stand	a. Sex offender re landized treatment	for sex offenders. No application for diversion.			
No contact-directly, is	ndirectly, through 3rd	party or via mostia	- with being	or victim K. V.	who was 14 yrs old	d during offenses.	No formal press release by District Attorney.			
		ner. Une webcath	EIZOG Bhall	pegamanta 10 D	erendant. No fine. C	ourt costs. Counts	1, 3, 6 distrissed/cofts to State.			
<del></del>	G. SUMMERS		190		m-		9/23/17			
Judge	's Name			nage.s	Signature 3	6 /	Date of Entry of Judgment			
-	Counsel for State	/Signature (option	onal)		Defendant/	Defendant's Co	unst/Signature (optional)			
1	, cleak h	ereby certify that	before en	try by the court	a copy of this indo	ment was made	available to the party or parties who did not			
manida enisment			, Jointo GII	_, , , , ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	- and or rine look	house may made	RDA 1167			
							RDA 1107			