



**IN DISCIPLINARY DISTRICT 0
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

IN RE: ROBERT L. BOOKER, BPR #24887
Respondent, An Attorney
Licensed to Practice
Law in Tennessee
(Oceanside, CA)

FILE NO. 29317-0-LC

PUBLIC CENSURE

The U. S. Court of Appeals for the Ninth Circuit reported to the Board of Professional Responsibility that on April 12, 2005, the Court suspended the Respondent, Robert L. Booker, from the bar of the Ninth Circuit for eighteen (18) months to run concurrently with his Utah suspension. The Ninth Circuit Court Order suspending Respondent stated that he could apply for reinstatement to the Court's bar if he was reinstated to practice in Utah or admitted to practice in another state.

The Respondent moved for reinstatement based upon his admission to practice in Tennessee and stated that he intended to take the July, 2006 bar examination in California. The Court noted that the stationery used by the Respondent identified him as "attorney at law" and showed a California address without a clarifying statement that Respondent is admitted and eligible to practice only in Tennessee. The Court stated that the use of such stationery may be misleading to the public and may also constitute the unauthorized practice of law in California. The Court ordered the Respondent to take "the necessary steps, including correcting his stationery, to address this concern."

In addition, the Court found that the Respondent appeared at the Court's front desk to file a notice of appearance as retained counsel for appellant David Randal Williams in Williams' pro se appeal from an April 25, 2006 District Court Order revoking Williams' supervised release. Respondent was informed by a court employee that it would be inappropriate for him to appear before the Court while his Petition for Reinstatement was pending. Respondent, nevertheless, submitted the notice of appearance for filing. The Court found that the Respondent exhibited poor judgment by submitting the notice of appearance after receiving notice that it would be inappropriate to do so, in light of his suspension from the bar of the Court and the fact that the Court had not yet acted upon his request to be reinstated. The Court directed that the clerk not enter the Respondent's appearance on the docket and appointed new counsel for the appellant.

The Board of Professional Responsibility concluded that Respondent Robert L. Booker has violated Rules 7.1(a), 5.5(a) and 8.4(a)(d) of the Tennessee Rules of Professional Conduct due to his actions as set forth above. Based thereon, Respondent is hereby publicly censured and the captioned file is hereby closed.

FOR THE BOARD:



W. Ferber Tracy, Chairman
Board of Professional Responsibility
of the Supreme Court of Tennessee

DATE:

