



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

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RELEASE OF INFORMATION
RE: BRANDON MICHAEL BOOTEN, BPR #25279
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

December 3, 2013

RUTHERFORD COUNTY LAWYER REINSTATED

On November 27, 2013, the Supreme Court of Tennessee reinstated the law license of Brandon Michael Booten of Murfreesboro. Mr. Booten was suspended by the Supreme Court on November 1, 2013, upon finding that Mr. Booten had failed to respond to the Board regarding a complaint of misconduct.

Mr. Booten filed a Petition for Dissolution or Amendment of Order of Temporary Suspension on November 7, 2013. A Hearing Panel appointed to hear the Petition for Dissolution recommended to the Court that the Temporary Suspension be set aside upon conditions that Mr. Booten comply with Supreme Court Rule 9, Section 19, continue consultation with the Tennessee Lawyers Assistance Program (TLAP), adhere to any recommendations of TLAP, and provide disciplinary counsel with a copy of any and all assessments and/or monitoring agreements.

Booten 2260-4 rel2.doc

PLEASE NOTE

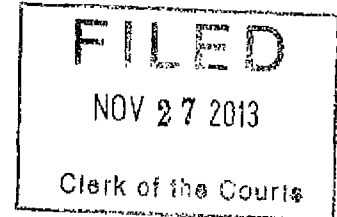
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: BRANDON MICHAEL BOOTEN, BPR #25279
An Attorney Licensed to Practice Law in Tennessee
(Rutherford County)

No. M2013-02419-SC-BAR-BP
BOPR No. 2013-2260-4-AW(4.3)



ORDER

On November 1, 2013, the Court entered an Order of Temporary Suspension suspending Brandon Michael Booten's license to practice law pursuant to Tenn. Sup. Ct. R. 9, § 4.3, due to Mr. Booten's failure to respond to requests for information concerning a complaint of misconduct. On November 7, 2013, Mr. Booten filed a Petition for Dissolution or Amendment of Order of Temporary Suspension.

On November 18, 2013, a hearing was conducted before a three-member Hearing Panel of the Board of Professional Responsibility. On November 19, 2013, the Hearing Panel entered its Report and Recommendation that Ms. Booten's temporary suspension be dissolved subject to conditions. A copy of the Report and Recommendation is attached hereto and incorporated by reference.

It is, therefore, ordered, adjudged and decreed by the Court:

1. The temporary suspension imposed on Brandon Michael Booten by Order of Temporary Suspension filed November 1, 2013, shall be dissolved.
2. That on or before the close of business on Friday, November 22, 2013, Mr. Booten shall comply with Tenn. Sup. Ct. R. 9, § 19 and provide evidence to disciplinary counsel of said compliance.
3. That Mr. Booten shall continue consultation with the Tennessee Lawyers Assistance Program (TLAP) and adhere to any recommendations of TLAP, including, but not limited to, any assessments, formal monitoring agreements and/or recommended contracts. The reinstatement of Mr. Booten should further be conditioned on Mr. Booten providing to disciplinary counsel a copy of any and all assessments and/or monitoring agreements and further providing to TLAP a copy of any and all Orders of Reinstatement, Dissolution, or Amendment.

4. Mr. Booten shall reimburse and pay to the Board of Professional Responsibility the costs and expenses incurred herein in the amount of \$628.88, within ninety (90) days, 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.

IT IS SO ORDERED.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK, JUSTICE

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

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BOARD OF PROFESSIONAL
RESPONSIBILITY

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IN RE:)
BRANDON MICHAEL BOOTEN,)
BPR #025279)
an Attorney Licensed to Practice Law in)
Tennessee (Rutherford County))

NO. BPR.2013-2260-4-AW (4.3)

REPORT and RECOMMENDATION

THIS CAUSE came to be heard on the 18th day of November 2013, before a Hearing Panel consisting of members J. Russell Parkes, Susan McGannon and Toby Gilley. This cause came before this Hearing Panel pursuant to Rule 9, § 4.3. The Hearing Panel heard evidence relative to the Petitioner, Brandon Booten's Petition for Dissolution of Temporary Suspension.

At the telephonic hearing of this matter, the Hearing Panel was presented with the following record:

1. Supreme Court Order of Temporary Suspension, filed 11/01/2013.
2. Petition for Dissolution or Amendment of Order of Temporary Suspension, executed 11/07/2013.
3. Supreme Court Order filed 11/15/2013.
4. Appointment of Hearing Panel, filed 11/15/2013.
5. Notice of Appointment Hearing Panel, filed 11/15/2013.
6. Notice of Telephonic Hearing, filed 11/15/2013.

As a part of the Petition for Dissolution or Amendment the Hearing Panel further considered the Affidavit of Brandon Michael Booten and the attachments associated therewith.

The Hearing Panel first inquired as to the position of the Board of Professional

Responsibility. Attorney, Russ Willis, on behalf of the Board indicated that the Board had no opposition to Booten's reinstatement conditioned on certain matters including the Respondent, Booten's continued consultation with and adherence to the recommendations of the Tennessee Lawyers Assistance Program. The Respondent Booten also announced no opposition to continuing consultation with TLAP including any necessary assessment and/or the entering into, if any, contract or monitoring agreement. The Hearing Panel made inquiry regarding the Respondent's compliance with Rule 9, Section 18.1 and 18.8. The Respondent, Booten indicated that while he was "working on compliance" there had not been compliance within the ten (10) days as provided in Rule 18 and as mandated by the Supreme Court's Order filed November 1, 2013.

It is the finding of this Hearing Panel as confirmed by disciplinary counsel, that the Respondent, Booten has now answered all complaints which are the genesis of the Respondent's Rule 4.3 suspension.

RECOMMENDATION

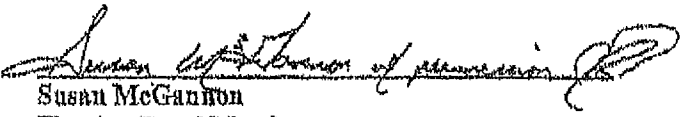
It is the unanimous recommendation of this Hearing Panel that the temporary suspension should be dissolved conditioned on the following:

1. That on or before the close of business Friday, November 22, 2013, the Respondent, Booten comply with Rule 9, Section 18 of the Rules of the Tennessee Supreme Court and provide evidence to disciplinary counsel of said compliance.
2. That the Respondent, Booten continue consultation with the Tennessee Lawyers Assistance Program and adhere to any recommendations of the Tennessee Lawyers Assistance Program, including but not limited to any assessments, formal monitoring agreements and/or recommended contracts. The reinstatement of the Respondent, Booten should further be

conditioned on the Respondent Bocten providing to disciplinary counsel a copy of any and all assessments and/or monitoring agreements and further providing to the Tennessee Lawyers Assistance Program a copy of any and all Orders of Reinstatement, Dissolution, or Amendment.



Russell Parkes
Hearing Panel Chair



Susan McGannon
Hearing Panel Member



Toby Gilley
Hearing Panel Member

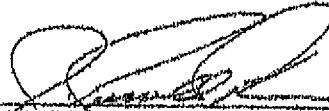
CERTIFICATE

The undersigned hereby certifies that a true and exact copy of the foregoing document has been served upon the following parties in interest herein by delivering same by United States Mail, with sufficient postage thereon to carry the same to its destination:

Mr. Russ Willis
10 Cadillac Drive, Suite 220
Brentwood, TN 37027
rwillis@fbpr.org

Michael Brandon Booten
P. O. Box 33092
Murfreesboro, TN 37133
brandonbooten@gmail.com

Date: 11/15/13



J. RUSSEL PARKES