



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

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NASHVILLE, TENNESSEE 37217  
TELEPHONE: (615) 361-7500  
(800) 486-5714  
FAX: (615) 367-2480  
E-MAIL: ethlcs@tbpr.org  
Website: www.tbpr.org

**RELEASE OF INFORMATION**  
**RE: JOHN P. BRIZZOLARA, BPR# 22449**  
**CONTACT: KRISANN HODGES**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

August 2, 2010

**LITTLE ROCK ATTORNEY SUSPENDED**

On July 29, 2010, the Tennessee Supreme Court suspended the Tennessee law license of John P. Brizzolara pursuant to Section 14 of Tennessee Supreme Court Rule 9. The Court suspended Mr. Brizzolara's law license in light of his plea to the serious crime of prescription drug fraud, in violation of Tenn. Code Ann. 53-11-402; forgery, in violation of Tenn. Code Ann. 39-14-114; and identity theft, in violation of Tenn. Code Ann. 39-14-150.

Prior to the entry of this Order, Mr. Brizzolara was also suspended from the practice of law in Tennessee for failure to pay registration fees and failure to comply with continuing legal education requirements.

The Supreme Court further ordered the Board of Professional Responsibility to institute a formal proceeding to determine the extent of final discipline to be imposed as a result of the commission of these serious crimes. Mr. Brizzolara was ordered to fully comply with the provisions of Tennessee Supreme Court Rule 9, Section 18, which requires, in part, the notification of all clients by registered or certified mail, all co-counsel, all opposing counsel and opposing parties without counsel of the Supreme Court's order suspending him. Section 18 also requires that Mr. Brizzolara deliver to all clients any papers or property to which they are entitled.

This suspension shall remain in effect until it is dissolved or amended by order of the Supreme Court of Tennessee.

Brizzolara 1951-0 rel.doc

**PLEASE NOTE**  
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IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

FILED

2010 JUL 29 AM 9:30

IN RE: JOHN P. BRIZZOLARA, JR., BPR #22449

An Attorney Licensed to Practice Law in Tennessee  
(Little Rock, Arkansas)

APPELLATE COURT CLERK  
NASHVILLE

NO. M2010-01622-SC-BPR-BP

BOPR No. 2010-1951-0-KH(14)

ORDER

This matter is before the Court pursuant to Section 14 of Tennessee Supreme Court Rule 9 upon a certificate filed by Disciplinary Counsel for the Board of Professional Responsibility consisting of a certified copy of Orders entered in the Circuit Court of Williamson County, Tennessee, Nos. I-CR044797 and I-CR044798 (attached hereto as Collective Exhibit A), demonstrating that on May 25, 2010, John P. Brizzolara, Jr., a Tennessee attorney, pled guilty to charges involving serious crimes, to wit: Prescription Drug Fraud, in violation of Tenn. Code Ann. 53-11-402; Forgery, in violation of Tenn. Code Ann. 39-14-114; and Identity Theft, in violation of 39-14-150.

Further, Respondent is currently suspended from the practice of law for failure to pay registration fees and for noncompliance with Continuing Legal Education requirements.

It is, therefore, **ORDERED**, pursuant to Section 14 of Tennessee Supreme Court Rule 9, that John P. Brizzolara, Jr., is suspended from the practice of law on this date pending further orders of this Court.

It is further **ORDERED** that this matter 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 as a result of the convictions.

It is further **ORDERED** that John P. Brizzolara, Jr., shall fully comply with the provisions of Tennessee Supreme Court Rule 9, Section 18, concerning disbarred or suspended attorneys.

FOR THE COURT:

*Cornelia A. Clark*

CORNELIA A. CLARK

JUSTICE

**OFFICE OF CIRCUIT COURT CLERK**  
FOR WILLIAMSON COUNTY, TENNESSEE

I, DEBBIE McMILLAN BARRETT, CLERK OF SAID COURT, DO HEREBY  
CERTIFY THAT THE FOREGOING IS A TRUE, PERFECT AND COMPLETE COPY  
OF THE INDICTMENTS, 40-35-313 (DIVERSION) ORDER OF SAID COURT,

PRONOUNCED MAY 25, 2010

IN THE CASE OF

STATE OF TENNESSEE

VS

JOHN PAUL BRIZZOLARA

AS APPEARS OF RECORD NOW ON FILE IN MY OFFICE, AS REFLECTED IN MINUTE

BOOK 354, PAGE 836.

BOOK 356 PAGE 739-740

IN TESTIMONY WHEREOF, I HAVE HERE UNTO SET MY HAND AND AFFIXED THE

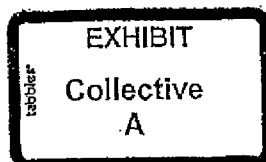
SEAL OF THE COURT, AT OFFICE AT COURTHOUSE IN FRANKLIN, ON THIS,

THE 14TH DAY OF JULY 2010.

DEBBIE McMILLAN BARRETT  
CIRCUIT COURT CLERK

SEAL

Angela Walker D.C.



CIRCUIT COURT NUMBER I-CR044798

STATE OF TENNESSEE, WILLIAMSON COUNTY  
CIRCUIT COURT

COUNT 1  
PRESCRIPTION DRUG FRAUD

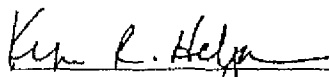
The Grand Jurors for Williamson County, Tennessee, duly impaneled and sworn, upon their oath, present that **JOHN PAUL BRIZZOLARA**, heretofore, to-wit, on January 21, 2010, before the finding of this presentment, in said County and State, did unlawfully, knowingly, and feloniously obtain or attempt to obtain a controlled substance, to-wit: Lortab, being classified as controlled substance in Schedule III, by misrepresentation, fraud, forgery, deception or subterfuge, in violation of Tennessee Code Annotated, Section 53-11-402, a class D felony, and against the peace and dignity of the State of Tennessee.

COUNT 2  
FORGERY

The Grand Jurors for Williamson County, Tennessee, duly impaneled and sworn, upon their oath, present that **JOHN PAUL BRIZZOLARA**, heretofore, to-wit, on January 21, 2010, before the finding of this presentment, in said County and State, unlawfully, knowingly and feloniously did alter, make, complete, execute or authenticate any writing, so that it purports to be the act of another who did not authorize that act, with the intent to defraud or harm another, to-wit: a prescription for Lortab issued by Dr. Wayne Bruffett, M.D. for Greg Shield, in violation of Tennessee Code Annotated 39-14-114, a class E felony, and against the peace and dignity of the State of Tennessee.

COUNT 3  
IDENTITY THEFT

The Grand Jurors for Williamson County, Tennessee, duly impaneled and sworn, upon their oath, present that **JOHN PAUL BRIZZOLARA**, heretofore, to-wit, on January 21, 2010, before the finding of this presentment, in said County and State, unlawfully, knowingly and feloniously did use personal identification of another person to wit: the name of Dr. Wayne Bruffett, M.D., with the intent to commit any unlawful act, to wit: fraudulently obtain Lortab, a prescription controlled substance, in violation of Tennessee Code Annotated 39-14-150, a class D felony, and against the peace and dignity of the State of Tennessee.

  
KIM R. HELPER  
District Attorney General

354 836


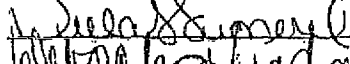
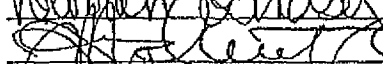
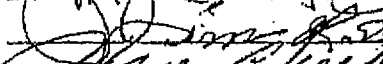

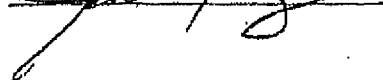
CIRCUIT COURT NUMBER JCR044798

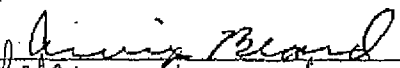
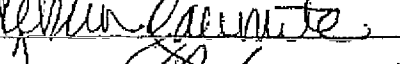

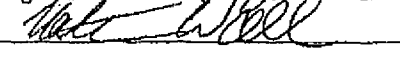
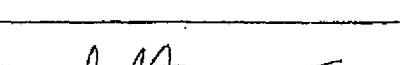
STATE OF TENNESSEE

v.

JOHN PAUL BRIZZOLARA

A TRUE BILL


  
  
  
  


  
 GRAND JURY FOREMAN

TO THE CLERK:

SUBPOENA THE FOLLOWING WITNESSES FOR THE STATE OF TENNESSEE

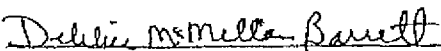
1. Agt. William Whitney, DTF
2. Sonya Looney, Fred's Pharmacy, 7240 Nolensville Road, Nolensville, TN 37135, (615) 776-2273
3. Rebakah Adkins, Fred's Pharmacy, 7240 Nolensville Road, Nolensville, TN 37135, (615) 776-2273
4. Megan Womble, Fred's Pharmacy, 7240 Nolensville Road, Nolensville, TN 37135, (615) 776-2273
5. Dr. Wayne Bruffett, 500 South University Avenue, Suite 815, Little Rock, AR 72205, (501) 663-8900

  
 KIM R. HELPER  
 District Attorney General

Filed and entered

CIRCUIT COURT CLERK

April 12, 2010

By 

354 837

SEAN DIDDY

IN THE CIRCUIT COURT OF WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

STATE OF TENNESSEE

vs.

NO. I-CR044798

John P. Brizzard, Jr.

D.O.B.: 11-24-73

FILED

MAY 25 2010

Debbie McMillan Barrett  
Circuit Court

ORDER

This cause came to be heard on the 25<sup>th</sup> day of May, 2010, upon the defendant's plea of guilty to the offense of Basic Felony, Forgery & I.D. Theft a Class D/E Felony.

Pursuant to an agreement between the State and the Defendant, this plea will be accepted by the Court, but adjudication of the defendant's guilt will be withheld pursuant to T.C.A. 40-35-313, for a period of 2 yrs. During this time the defendant shall be on Supervised probation subject to the usual conditions of probation and the following special conditions:

1. Any Contribution of \$3050<sup>00</sup> to 91<sup>st</sup> DTF
2. See Attached Defendant's Conditions
3. \_\_\_\_\_

A supplemental order of probation setting forth the usual and special conditions of probation shall be prepared and filed with the Court

So ORDERED this the 25<sup>th</sup> day of May, 2010.

Judge

Approved for entry:

[Signature]

Attorney for the State

[Signature]

Attorney for the Defendant

**STATE OF TENNESSEE V. JOHN PAUL BRIZZOLARA, JR.  
CASE No.: I-CR044798**

**ATTACHED DIVERSION CONDITIONS**

- Defendant must successfully complete all aspects of the 21<sup>st</sup> Judicial District Drug Court program as a condition of his probation
- Defendant to pay all contributions and costs on a schedule TBD by his probation officer
- Defendant is not to ingest or consume any controlled substances without prior approval of his/his probation officer
- If defendant is prescribed a controlled substance or issued a refill for a current prescription of a controlled substance, the defendant, prior to obtaining or attempting to obtain said prescription, shall provide a letter to his probation officer from the prescribing doctor stating the following:
  1. The reason for the prescription
  2. Acknowledgment by the doctor of the defendant's criminal offense of Prescription Fraud
  3. Statement by the doctor that there is no non-controlled alternative available
- Defendant is required to sign any and all necessary medical releases of information in order to comply with the requirements of their probation
- If defendant is prescribed a controlled substance and said prescription is approved by his probation officer, the defendant must choose a single pharmacy location from which to obtain any and all prescriptions for controlled substances. The defendant must provide his probation officer with the location of said pharmacy prior to obtaining any prescriptions

**OFFICE OF CIRCUIT COURT CLERK**  
FOR WILLIAMSON COUNTY, TENNESSEE

I, DEBBIE MCMILLAN BARRETT, CLERK OF SAID COURT, DO HEREBY  
CERTIFY THAT THE FOREGOING IS A TRUE, PERFECT AND COMPLETE COPY  
OF THE INDICTMENTS, 40-35-313 (DIVERSION) ORDER, JUDGMENT OF SAID COURT,

PRONOUNCED MAY 25, 2010

IN THE CASE OF

STATE OF TENNESSEE

VS

JOHN PAUL BRIZZOLARA

AS APPEARS OF RECORD NOW ON FILE IN MY OFFICE, AS REFLECTED IN MINUTE

BOOK 354, PAGE 834.

BOOK 356 PAGE 726-727 & 731

IN TESTIMONY WHEREOF, I HAVE HERE UNTO SET MY HAND AND AFFIXED THE

SEAL OF THE COURT, AT OFFICE AT COURTHOUSE IN FRANKLIN, ON THIS,

THE 14TH DAY OF JULY 2010.

DEBBIE McMILLAN BARRETT  
CIRCUIT COURT CLERK

SEAL

Angela Walker

D.C.



CIRCUIT COURT NUMBER ECR044797

STATE OF TENNESSEE, WILLIAMSON COUNTY  
CIRCUIT COURT

COUNT 1  
PRESCRIPTION DRUG FRAUD

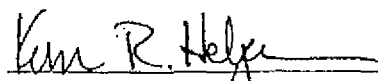
The Grand Jurors for Williamson County, Tennessee, duly impaneled and sworn, upon their oath, present that **JOHN PAUL BRIZZOLARA**, heretofore, to-wit, on February 08, 2010, before the finding of this presentment, in said County and State, did unlawfully, knowingly, and feloniously obtain or attempt to obtain a controlled substance, to-wit:, Norco, being classified as controlled substance in Schedule III, by misrepresentation, fraud, forgery, deception or subterfuge, in violation of Tennessee Code Annotated, Section 53-11-402, a class D felony, and against the peace and dignity of the State of Tennessee.

COUNT 2  
FORGERY

The Grand Jurors for Williamson County, Tennessee, duly impaneled and sworn, upon their oath, present that **JOHN PAUL BRIZZOLARA**, heretofore, to-wit, on February 08, 2010, before the finding of this presentment, in said County and State, unlawfully, knowingly and feloniously did with the intent to defraud or harm another, did alter, make, authenticate any writing that it purport to be the act of another who did no authorize that act, to-wit: a prescription for Norco and Toprol XL50 issued to Dr. Robert Bishop, MD for Jeff Smith, in violation of Tennessee Code Annotated 39-14-114, a class E felony, and against the peace and dignity of the State of Tennessee.

COUNT 3  
IDENTITY THEFT

The Grand Jurors for Williamson County, Tennessee, duly impaneled and sworn, upon their oath, present that **JOHN PAUL BRIZZOLARA**, heretofore, to-wit, on February 08, 2010, before the finding of this presentment, in said County and State, unlawfully, knowingly and feloniously obtains, possesses, buys or uses the personal identification of another, to wit: Dr. Robert Bishop, MD, with the intent to commit any unlawful act, to wit: fraudulently obtain Norco, a prescription controlled substance, and Toprol XL 50, a legend drug, in violation of Tennessee Code Annotated 39-14-150, a class D felony, and against the peace and dignity of the State of Tennessee.

  
KIM R. HELPER  
District Attorney General

CIRCUIT COURT NUMBER ECR044797

STATE OF TENNESSEE

v.

JOHN PAUL BRIZZOLARA

A TRUE BILL

*Samie Allan*  
*Debra S. Gungore*  
*William D. Smith*  
*James B. ...*  
*George ...*

*Samie Allan*  
*William D. Smith*  
*James B. Gungore*  
*George ...*  
*William D. Smith*  
GRAND JURY FOREMAN

TO THE CLERK:

SUBPOENA THE FOLLOWING WITNESSES FOR THE STATE OF TENNESSEE

1. William Whitney, DTF
2. Bailey Greenwalt, Assistant Director, DTF
3. Beth McDonald, Pharmacist, Walgreens Pharmacy, 101 Franklin Road Brentwood, TN 37027, (615) 221-8857
4. Annah Royal, Pharmacist, Walgreens Pharmacy, 101 Franklin Road, Brentwood, TN 37027, (615) 221-8857
5. Kaye Auditore, Pharmacy Technician, Walgreens Pharmacy, 101 Franklin Road Brentwood, TN 37027, (615) 221-8857
6. Lana Bell, Pharmacist, Walgreens Pharmacy, 4243 Harding Pike Nashville, TN 37205, (615) 297-6399
7. Dr. Robert Bishop, 397 Wallace Road Nashville, TN 37211, (615) 834-6166
8. George Smith, 1707 Riverwood Drive Nashville, TN 37216, (615) 403-6233

*Kim R. Helper*  
KIM R. HELPER  
District Attorney General

Filed and entered

CIRCUIT COURT CLERK

April 12, 2010  
354 835

By *Debra McMillen Barrett*

SEAN B. DUDDY

IN THE CIRCUIT COURT OF WILLIAMSON COUNTY, TENNESSEE  
AT FRANKLIN

STATE OF TENNESSEE

vs.

NO. J-CR044797

John P. Bostrom, Jr.  
D.O.B.: 11-26-73

FILED

MAY 25 2010

Debbie McMillan Barrett  
Circuit Court

ORDER

This cause came to be heard on the 25<sup>th</sup> day of MAY, 2010, upon the defendant's plea of guilty to the offense of POSSESS FURD + FD TURTLE (UNLAWFUL) a Class D, FELONY. Pursuant to an agreement between the State and the Defendant, this plea will be accepted by the Court, but adjudication of the defendant's guilt will be withheld pursuant to T.C.A. 40-35-313, for a period of 4 yrs. During this time the defendant shall be on SUPERVISED probation subject to the usual conditions of probation and the following special conditions:

1. PAY COUPONS OF \$2750<sup>00</sup> TO 21<sup>st</sup> DTF
2. SEE ATTACHED DIVULSION COUPONS
- 3.

A supplemental order of probation setting forth the usual and special conditions of probation shall be prepared and filed with the Court

So ORDERED this the 25<sup>th</sup> day of May, 2010.

[Signature]  
Judge

Approved for entry:

[Signature]  
Attorney for the State

[Signature]  
Attorney for the Defendant

**STATE OF TENNESSEE V. JOHN PAUL BRIZZOLARA, JR.**  
**CASE No.: I-CR044797**

**ATTACHED DIVERSION CONDITIONS**

- Defendant must successfully complete all aspects of the 21<sup>st</sup> Judicial District Drug Court program as a condition of his probation
- Defendant to pay all contributions and costs on a schedule TBD by his probation officer
- Defendant is not to ingest or consume any controlled substances without prior approval of his/his probation officer
- If defendant is prescribed a controlled substance or issued a refill for a current prescription of a controlled substance, the defendant, prior to obtaining or attempting to obtain said prescription, shall provide a letter to his probation officer from the prescribing doctor stating the following:
  1. The reason for the prescription
  2. Acknowledgment by the doctor of the defendant's criminal offense of Prescription Fraud
  3. Statement by the doctor that there is no non-controlled alternative available
- Defendant is required to sign any and all necessary medical releases of information in order to comply with the requirements of their probation
- If defendant is prescribed a controlled substance and said prescription is approved by his probation officer, the defendant must choose a single pharmacy location from which to obtain any and all prescriptions for controlled substances. The defendant must provide his probation officer with the location of said pharmacy prior to obtaining any prescriptions

**IN THE CRIMINAL/CIRCUIT COURT OF WILLIAMSON COUNTY, TENNESSEE**

Case Number: I-CR044797 Count # 2 Attorney for the State: SEAN B. DUDDY / DKS  
 Judicial District: 21st Judicial Division: \_\_\_\_\_ Counsel for Defendant: Nick Bailey  
 State of Tennessee  Retained  Appointed  Public Defender  
 vs.  Counsel Waived  Pro Se  
 Defendant: JOHN PAUL BRIZZOLARA Alias: \_\_\_\_\_  
 Date of Birth: 11/26/1973 Sex: Male Race: White SSN: 432-35-3300  
 Indictment Filing Date: 3/8/2010 TDOC # \_\_\_\_\_ State Control # \_\_\_\_\_  
 State ID # \_\_\_\_\_ County Offender ID # FILED

**JUDGMENT**

**MAY 25 2010**

Original  Amended  Corrected  
 Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment.  
 On the 25 of May 2010, the defendant:

Debbie McMillan Barrett  
Circuit Court

<input type="checkbox"/> Pled Guilty <input checked="" type="checkbox"/> Dismissed/Nolle Prosequi <input type="checkbox"/> Nolo Contendere <input type="checkbox"/> Retired/Unapprehended Defendant <input type="checkbox"/> Guilty Plea -- Pursuant to 40-35-313  Is found: <input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty <input type="checkbox"/> Jury Verdict <input type="checkbox"/> Not Guilty by Reason of Insanity <input type="checkbox"/> Bench Trial	Indictment: Class (circle one) 1 <sup>A</sup> A B C D E <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Offense: <u>FORGERY</u> Amended Charge: _____ Offense Date: <u>2/8/2010</u> County: <u>Williamson</u> Conviction Offense: _____ Is this conviction offense methamphetamine related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No TCA #: <u>39-14-114</u> Sentence Imposed Date: _____ Conviction: Class (circle one) 1 <sup>A</sup> A B C D E <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
---	--

After considering the evidence, the entire record, & all factors in T.C.A. Title 40 Chapter 35, all of which are incorporated by reference herein, the Court's findings & rulings are:

<b>Sentence Reform Act of 1989</b> Offender Status (Check One) <input type="checkbox"/> Mitigated <input 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 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"/> Violent 100% <input type="checkbox"/> Multiple Rapist 100% <input type="checkbox"/> Child Rapist 100% <input type="checkbox"/> Repeat Violent 100% <input type="checkbox"/> Child Predator 100% <input type="checkbox"/> 1 <sup>st</sup> Degree Murder <input type="checkbox"/> Drug Free Zone <input type="checkbox"/> Gang Related	Concurrent with:  Consecutive to:	Pretrial Jail Credit Period(s): From _____ to _____ From _____ to _____ From _____ to _____ From _____ to _____
---	---	---

Sentenced To:  TDOC  County Jail  Workhouse  
 Sentence Length: \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days \_\_\_\_\_ Hours \_\_\_\_\_ Weekends  Life  Life w/out Parole  Death  
 Mandatory Minimum Sentence Length: \_\_\_\_\_ 39-17-417, 39-13-513, 39-13-514 in Drug Free Zone or \_\_\_\_\_ 55-10-401 DUI 4<sup>th</sup> Offense  
 or \_\_\_\_\_ 39-17-1324 Possession/Employment of Firearm  
 Period of incarceration to be served prior to release on probation: \_\_\_\_\_ Months \_\_\_\_\_ Days \_\_\_\_\_ Hours \_\_\_\_\_ Weekends  
 Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs: \_\_\_\_\_ % (Misdemeanor Only)  
 Alternative Sentence:  Probation  Diversion  Drug Court  Community Based Alternative - Specify \_\_\_\_\_  
 \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Effective: \_\_\_\_\_

Court Ordered Fees and Fines: Cost to be Paid by \$ _____ Court Costs <input type="checkbox"/> Defendant <input type="checkbox"/> State \$ _____ Fine Assessed \$ _____ Traumatic Brain Injury Fund (Drug Racing) \$ _____ 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 DNA testing.  
 Special Conditions  Pursuant to 39-13-524 the defendant is sentenced to community supervision for the following reasons: \_\_\_\_\_ of the original

This 24 day of July, 2010  
 \_\_\_\_\_  
 CLERK OF COURT  
 By: [Signature] D.C.  
 Date of Entry of Judgment: 5-25-10

Mon. Jeff Bivins Judge's Name  
[Signature] Judge's Signature

356 737 Attorney for State/Signature (optional) \_\_\_\_\_ Defendant's Attorney/Signature (optional) \_\_\_\_\_