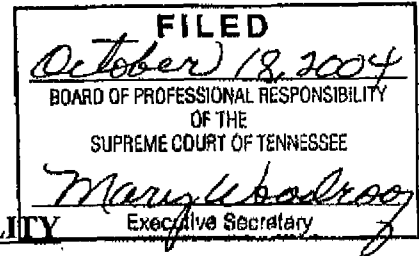


IN DISCIPLINARY DISTRICT II
of the
BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE



In Re: Gloria Jean Brown, Respondent
An Attorney Licensed to Practice
Law in Tennessee
(Knox County, BPR No. 17902)

B.O.P.R. Docket No. 2004-1435-2(K)-TH

ORDER OF JUDGMENT OF THE HEARING COMMITTEE

This matter having come to be heard by the Hearing Committee of the Board of Professional Responsibility of the Supreme Court of Tennessee on October 6, 2004, pursuant to Rule 9, Rules of the Tennessee Supreme Court, and upon argument of Disciplinary Counsel, and the record as a whole, the undersigned Hearing Committee make the following findings of fact, conclusions or law, and submits its judgment in the case as follows:

1. This matter is before the Hearing Committee upon the Petitioner's Motion for Default Judgment as to Supplemental Petition for Discipline.

2. A Petition for Discipline or in the Alternative Petition for Transfer to Disability Inactive Status was filed on April 9, 2004. Respondent was served or attempts at service of Respondent were made to Respondent via U.S. Certified Mail, to 7325 Foxlair Road, Knoxville, TN 37918, Respondent's address registered with the Board of Professional Responsibility, and to 1428 Shannon Circle, Sevierville, TN 37862. In July, 2004, a Motion for Default Judgment was similarly served or service attempted. On

August 19, 2004, a Supplemental Petition for Discipline or in the Alternative Petition for Transfer to Disability Inactive Status was filed and similarly served or service attempted. The Motion for Default Judgment as to Supplemental Petition for Discipline was served or service attempted via U.S. Certified Mail to the Respondent at the address registered with the Board of Professional Responsibility. The Petitioner personally served a person at 119 Fred Way, Gatlinburg, Tennessee, who represented that the Respondent was residing at that address.

3. The Petitioner requested that any order of the Hearing Committee not become final for thirty (30) days.

4. Respondent is imputed with the knowledge that the address she has provided to the Board of Professional Responsibility is the address for receipt of all disciplinary matters from the Board. See, Rule 9, Sec. 12.1, Rules of the Supreme Court.

5. In absence of a response by the Respondent, the Hearing Committee finds the allegations set forth in the Supplemental Petition for Discipline and in the Petition for Discipline or in the Alternative Petition to Transfer to Disability Inactive Status are admitted pursuant to Rule 9, Sec. 8.2, Rules of the Supreme Court.

6. The Petitioner has set forth a colorable argument that the allegations constitute violations of the Disciplinary Rules as cited by the Petitioner in the Petition for Discipline and the Supplemental Petition for Discipline.

7. The Hearing Committee finds in particular that the Respondent has violated DR 6-101(A) on at least two occasions by failing to be available to her clients and opposing counsel, by not advising her clients and opposing counsel of her whereabouts, or providing a means for communication with her clients and opposing

counsel, and by failing to appear at a scheduled hearing with no apparent effort to rectify the failure.

8. The Hearing Committee finds the content of and the nature of all the findings, taken together, in the Respondent's prior Informal Admonition, is an aggravating circumstance. The failure of the Respondent to communicate with her clients, to advise them of her whereabouts, and to be available to her clients, as contained in the prior Informal Admonition, is an aggravating circumstance because it shows the same pattern and type of ethical violations as charged in the Petition for Discipline.

WHEREFORE, IN CONSIDERATION OF THE FOREGOING, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That this Order of Judgment of the Hearing Committee is hereby granted by default; however, this Order of Judgment of the Hearing Committee shall not become final for a period of thirty (30) days from the date stamped, "Filed." The Petitioner shall attempt to serve a copy of this Order of Judgment of the Hearing Committee to the Respondent in accordance with this Order, and the Respondent shall have an opportunity to appear and contest the allegations in the event the Respondent makes application for rehearing prior to this Order becoming final, and shows good cause for her failure to respond to the notice of the Petition for Discipline, the Supplemental Petition for Discipline; the Notice of Hearing and the Motion for Default Judgment.

2. That the Petitioner make one attempt of personal service upon the Respondent of this Order of Judgment of the Hearing Committee, and that the Petitioner mail, via U.S. Certified Mail, Return Receipt Requested, Restricted Delivery, and via U.S. First Class Mail, a copy of this Order of Judgment of the Hearing Committee, to the

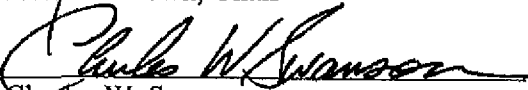
Respondent at 119 Fred Way, Gatlinburg, Tennessee and to 7325 Foxlair Road, Knoxville, TN 37918.

3. That the Petitioner be suspended from the practice of law in the State of Tennessee for a period of one (1) year and that the Petitioner must be reinstated by order of the Supreme Court pursuant to Rule 9, Section 19.1, Rules of the Supreme Court.

This the 14th day of October, 2004.

HEARING COMMITTEE


Mark A. Brown, Chair


Charles W. Swanson


Katherine M. Hamilton

Certificate of Service

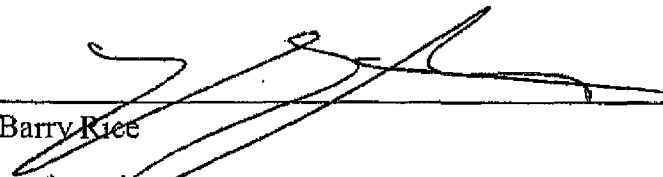
Re: B.O.P.R. Dkt. No. 2004-1435-2(K)-TH

I hereby declare that I, Barry Rice, have hand-served the following documents:
Petition for Discipline, the Supplemental Petition for Discipline, Notice of Hearing and
two Motions for Default Judgment upon respondent, Gloria Jean Brown @ 5:15 pm

HAND DELIVERED TO 119 FRED WAY AND ACCEPTED BY DONALD BELOW WHO

VERIFIED Ms. BROWN WAS RESIDING AT THIS ^{ADDRESS} on the 4th day of OCTOBER, 2004.

119 FRED WAY
GATLIN BURG, TN



Barry Rice
602 GAY ST SUITE 407
KNOXVILLE, TN

FILED
October 6, 2004
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE
Mary Woodruff
Executive Secretary

William W. Hunt, III, Disciplinary Counsel
Board of Professional Responsibility
of the Supreme Court of Tennessee
1101 Kermit Drive, Suite 730
Nashville, TN 37217
1-800-486-5714, ext. 218

WITNESS: _____

EXHIBIT NO: 1

Bessy Brown, Brown & Wingo Court Reporting, 865-524-2841