

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

FEB 24 2003

Clerk of the Courts

TED A. BURKHALTER, BPR #10397
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

BPR Docket No. 96-923-5-C
BPR Docket No. 97-948-5-C(4.3)
BPR Docket No. 98-1050-5-C

ORDER M 2003 - 00424 - SC - BPO - BP

This matter is before the Court upon the petition of Disciplinary Counsel for the suspension of Ted A. Burkhalter, respondent, pursuant to Section 4.2 of Tennessee Supreme Court Rule 9. The petition is based on three separate complaints lodged against him with the Board of Professional Responsibility in complaint numbers 15047-5-LC, 15952-5-LC, and 18320-5-LC. The petition has been authorized by the Chairman of the Board of Professional Responsibility.

The petition alleges, *inter alia*, that respondent:

- a) failed to adequately maintain his escrow account;
- b) failed to keep proper records of his escrow account; and
- c) improperly notarized two signatures to a legal document without the person being present.

Pursuant to Tennessee Supreme Court Rule 9 § 16.1, respondent has agreed to enter into a Conditional Guilty Plea to the petition in exchange for a five-year suspension. The following reflects the agreement:

1. Respondent pleads guilty to violating DR 1-102(A)(1)(4)(5)(6) and DR 9-102(A)(B) given his admitted misconduct as set forth above.
2. Respondent shall be suspended from the practice of law in this State for five years retroactive to January 29, 1997, which is the date that he was first suspended by the Court.
3. Respondent shall pay the Board's costs in this matter pursuant to Rule 9 § 24.3 and in addition, shall pay to the Clerk of this Court the court costs incurred herein.

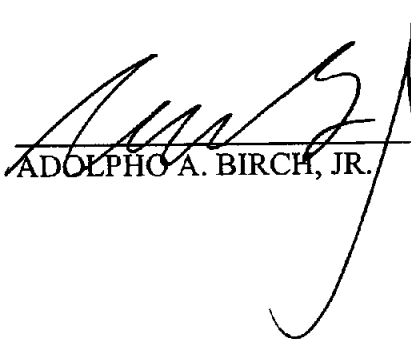
The Court finds that the Petition establishes sufficient grounds for the suspension of Respondent's law license pursuant to Section 4.2, of Tennessee Supreme Court Rule 9.

It is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court:

1. That Ted A. Burkhalter is hereby suspended for five years from the practice of law as provided in Tennessee Supreme Court Rule 9 § 4.2 retroactive to January 29, 1997.
2. That Ted. A. Burkhalter may make application for reinstatement pursuant to Tennessee Supreme Court Rule 9 § 19.
3. Pursuant to Tennessee Supreme Court Rule 9 § 24.3, Ted A. Burkhalter shall reimburse and pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$3,027.88. In addition, he shall pay to the Clerk of this Court the costs incurred herein, for all of which execution may issue if necessary.

The Court takes note that two civil lawsuits were instituted against respondent regarding matters embraced in two of the three complaints; both cases were resolved. The Board of Professional Responsibility shall cause notice of this suspension to be published as required by Rule 9.

FOR THE COURT:


ADOLPHO A. BIRCH, JR.

I, Cecil Crowson, Jr., Clerk, hereby certify that this is a true and exact copy of the original

Order
filed in the cause.

This 24 day of Feb., 2003

CLERK OF COURT

By: 