



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

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RELEASE OF INFORMATION
RE: LEROY CAIN, JR., BPR #6510
CONTACT: ALAN JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

January 29, 2015

DAVIDSON COUNTY LAWYER SUSPENDED

On January 28, 2015, Leroy Cain, Jr., of Nashville, Tennessee, was suspended from the practice of law for one (1) year and (1) day by Order of the Tennessee Supreme Court. As a condition of reinstatement, Mr. Cain must complete a land sale transaction, or pay restitution to the purchaser, or the Tennessee Lawyers' Fund for Client Protection. Mr. Cain must pay the Board's costs and expenses.

A Petition for Discipline was filed on October 24, 2013, that included one (1) complaint of misconduct. While representing the heir of an estate in a probate matter, Mr. Cain received a check from the purchaser of property being sold by the estate. He then released the purchase money to the seller without ensuring the delivery of clear title. Mr. Cain entered into a Conditional Guilty Plea admitting to the misconduct. Mr. Cain's actions violated RPC 1.15 (safekeeping property).

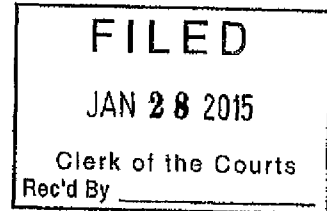
Mr. Cain must comply with the requirements of Tennessee Supreme Court Rule 9, Section 18 (2006) and Tennessee Supreme Court Rule 9, Section 30.4 (2014), regarding the obligations and responsibilities of suspended attorneys. The effective date of the Court's Order is February 7, 2015.

Cain 2259-5 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: LEROY CAIN, JR., BPR #006510
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

No. M2015-00119-SC-BAR-BP
BOPR No. 2013-2259-5-AJ



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Leroy Cain, Jr., on October 24, 2013; upon Answer to Petition for Discipline filed by Mr. Cain on December 10, 2013; upon entry of a Conditional Guilty Plea filed by Mr. Cain on October 10, 2014; upon an Order Recommending Approval of Conditional Guilty Plea entered on October 24, 2014; upon consideration and approval by the Board on December 12, 2014; and upon the entire record in this cause.¹

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea as the Court's Order.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 4.2, Leroy Cain, Jr. is suspended from the practice of law for one (1) year and one (1) day. As a condition to reinstatement, Mr. Cain shall, no later than ten (10) months from entry of this Order of Enforcement, either:

- (a) complete the transfer of clear title to the South Carolina property ("Lot 85") that is the subject of the Petition for Discipline, in the name of the heirs of Janette Bass Jones to the estate of Martin Marshall, Jr.; or

¹Because this cause was initiated prior to January 1, 2014, it is governed by Tenn. Sup. Ct. R. 9 (2006) except as otherwise noted.

- (b) make restitution to the estate of Martin Marshall, Jr., in the amount of \$7,266.11. In the event restitution to the estate of Martin Marshall, Jr. is paid by the Tennessee Lawyers Fund for Client Protection (TLFCP), Mr. Cain shall reimburse TLFCP the amount so paid.

(2) The conditions of reinstatement, set forth in paragraph one (1) above, are separate and independent obligations that are imposed by this Order of Enforcement, and failure to satisfy the conditions shall constitute a violation of the Rules of Professional Conduct which may subject Mr. Cain to further disciplinary action by the Board.

(3) Additionally, Mr. Cain shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 18 (2006) and 30.4 (2014) regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement. Prior to seeking reinstatement, Mr. Cain must meet all CLE requirements and pay any outstanding registration fees including those due from the date of suspension until the date of reinstatement.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 18.5 (2006), this Order shall be effective ten (10) days after the date of entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3 (2006), Mr. Cain shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,495.48 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.

(6) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10 (2006).

PER CURIAM