



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

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RELEASE OF INFORMATION
RE: ROBERT THOMAS CARTER, BPR #13185
CONTACT: SANDY GARRETT
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 28, 2011

TULLAHOMA LAWYER SUSPENDED

On July 20, 2011, Robert T. Carter, of Tullahoma, Tennessee, was suspended by the Tennessee Supreme Court for a period of five (5) years with fourteen (14) months being active suspension and the remaining forty-six (46) months of probated suspension, pursuant to Tennessee Supreme Court Rule 9, Section 8.5. The Supreme Court imposed the following conditions upon Mr. Carter's probation of forty-six (46) months: a) practice monitor approved by the Board shall confer with Mr. Carter weekly, meet with Mr. Carter monthly and review the status of his cases, fee arrangements and deposits of trust funds and retainers; and b) Mr. Carter's agreement to revise his TLAP monitoring agreement.

On April 9, 2009, the Board of Professional Responsibility filed a Petition for Discipline against Mr. Carter based upon Mr. Carter's theft from his former law firm. While this Petition for Discipline was pending, on February 17, 2011, the Supreme Court summarily suspended Mr. Carter based upon his conditional guilty plea in *State v. Carter* to felony theft from his former law firm. The board subsequently filed a Final Petition for Discipline against Mr. Carter based upon his conditional guilty plea in *State v. Carter*. Mr. Carter's actions violate the following Rules of Professional Conduct: 1.15 (safekeeping property) and 8.4 (misconduct).

Mr. Carter was ordered to pay the expenses and costs of the disciplinary proceeding against him, pursuant to Rule 9, Section 4.7 of the Rules of the Supreme Court, and was ordered to fully comply in all respects with the requirements and obligations of suspended attorneys as set forth in Rule 9, Section 18 of the Rules of the Supreme Court.

Carter 1815-4 rel.doc

PLEASE NOTE

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

ROBERT THOMAS CARTER, BPR #013185
An Attorney Licensed to Practice Law in Tennessee
(Coffee County)

FILED

JUL 20 2011

Clerk of the Courts

NO. *M2011-00346-SC-BPR-BP*
BOPR No. 2009-1815-4-SG and
2011-2011-4-SG(14)

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed on April 9, 2009 by the Board of Professional Responsibility ("Board") against Robert Thomas Carter ("Respondent") in Docket No. 2009-1815-4-SG; upon Respondent's Answer to the Petition for Discipline filed on June 9, 2009; upon a Petition for Final Discipline filed March 3, 2011 by the Board in Docket No. 2011-2011-4-SG(14); upon Board's Motion to Consolidate filed February 25, 2011 and Respondent's agreement to consolidation; upon a Conditional Guilty Plea filed July 1, 2011; upon the Order of the Hearing Panel Approving Plea entered on July 5, 2011; upon the Board's consideration of this matter on July 7, 2011; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Order of the Hearing Panel Approving Plea as the Court's Order.

By Order entered July 21, 2010, in Case No. M2010-01527-SC-BPR-BP, Respondent was temporarily suspended from the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 4.3. By Order entered February 17, 2011, in Case No. M2011-00346-SC-BOP-BP, Respondent was suspended from the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 14. To date, Respondent has not been granted reinstatement.

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

1. Respondent, Robert Thomas Carter, is hereby suspended from the practice of law for five years, pursuant to Supreme Court Rule 9, Section 4.2. However, pursuant to Supreme Court Rule 9, Section 8.5, the imposition of the suspension is itself suspended after fourteen (14) months of actual suspension, and the Respondent is

thereafter placed on forty-six (46) months of probated suspension, subject to the following conditions:

- a. A practice monitor approved by Disciplinary Counsel who shall confer with the Respondent weekly, meet with the Respondent monthly and review the status of Respondent's cases, fee agreements and deposits of trust funds and retainers; and
- b. Respondent's agreement to revise his TLAP monitoring agreement as follows:
 - i. Extend the agreement through the five (5) year suspension period and,
 - ii. Provide for monthly screenings by TLAP and monthly reports by TLAP to the Board on Respondent's compliance.

3. The suspension shall become effective ten (10) days after the filing of this Order.

4. Respondent shall comply in all aspects with Supreme Court Rule 9, Sections 18 and 19 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

5. Upon entry of this Order, the Order of Temporary Suspension entered July 21, 2010 and Order of Suspension entered February 17, 2011 are hereby dissolved.

6. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$3,699.60 and in addition, 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.

7. The Board shall cause notice of this discipline to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK, CHIEF JUSTICE

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Michael W. Catalano, Clerk, hereby certify that
this is a true and exact copy of the original

Filed in the office

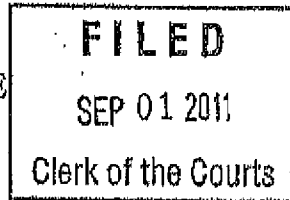
This 20 day of July, 2011

CLERK OF COURT

By: [Signature]

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

ROBERT THOMAS CARTER, BPR #013185
An Attorney Licensed to Practice Law in Tennessee
(Coffee County)



NO. M2011-00846-SC-BPO-BP
BOPR No. 2009-1815-4-SG and
2011-2011-4-SG(14)

AMENDED ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed on April 9, 2009 by the Board of Professional Responsibility ("Board") against Robert Thomas Carter ("Respondent") in Docket No. 2009-1815-4-SG; upon Respondent's Answer to the Petition for Discipline filed on June 9, 2009; upon a Petition for Final Discipline filed March 3, 2011 by the Board in Docket No. 2011-2011-4-SG(14); upon Board's Motion to Consolidate filed February 25, 2011 and Respondent's agreement to consolidation; upon a Conditional Guilty Plea filed July 1, 2011; upon the Order of the Hearing Panel Approving Plea entered on July 5, 2011; upon the Board's consideration of this matter on July 7, 2011; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Order of the Hearing Panel Approving Plea as the Court's Order.

By Order entered July 21, 2010, in Case No. M2010-01527-SC-BPR-BP, Respondent was temporarily suspended from the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 4.3. By Order entered February 17, 2011, in Case No. M2011-00346-SC-BOP-BP, Respondent was suspended from the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 14. To date, Respondent has not been granted reinstatement.

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

1. Respondent, Robert Thomas Carter, is hereby suspended from the practice of law for five years, pursuant to Supreme Court Rule 9, Section 4.2. However, pursuant to Supreme Court Rule 9, Section 8.5, the imposition of the suspension is itself suspended after fourteen (14) months of actual suspension, retroactive to Respondent's

temporary suspension on July 21, 2010; and the Respondent is thereafter placed on forty-six (46) months of probated suspension, subject to the following conditions:

- a. A practice monitor approved by Disciplinary Counsel who shall confer with the Respondent weekly, meet with the Respondent monthly and review the status of Respondent's cases, fee agreements and deposits of trust funds and retainers; and
 - b. Respondent's agreement to revise his TLAP monitoring agreement as follows:
 - i. Extend the agreement through the five (5) year suspension period and,
 - ii. Provide for monthly screenings by TLAP and monthly reports by TLAP to the Board on Respondent's compliance.
3. The suspension shall become effective ten (10) days after the filing of this Order.
4. Respondent shall comply in all aspects with Supreme Court Rule 9, Sections 18 and 19 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.
5. Upon entry of this Order, the Order of Temporary Suspension entered July 21, 2010 and Order of Suspension entered February 17, 2011 are hereby dissolved.
6. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$3,699.60 and in addition, 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.
7. The Board shall cause notice of this discipline to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark

CORNELIA A. CLARK, CHIEF JUSTICE

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Michael W. Catalano, Clerk, hereby certify that this is a true and correct copy of the original

Filed in the Clerk's

This 1st day of *Sept* 2011
CLEK OF COURT

By: *[Signature]* D.C.