

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
2011 FEB 17 PM 3:51

ROBERT THOMAS CARTER, Jr., BPR#013185
An Attorney Licensed in Tennessee
(Coffee County)

APPELLATE COURT CLERK
NASHVILLE

NO. M 2011-00346-SC-BPO-BP
BOPR DOCKET NO. 2011-2011-4-SG(14)

ORDER OF SUSPENSION

This matter is before the Court pursuant to Section 14 of Rule 9, Rules of the Supreme Court of Tennessee, upon a certificate filed by Disciplinary Counsel for the Board of Professional Responsibility consisting of a certified copy of the Judgment in a criminal case, *State of Tennessee v. Robert Thomas Carter, Jr.*, (attached as Exhibit A) filed in the Criminal Court of Coffee County, Tennessee on January 28, 2011, demonstrating that Robert Thomas Carter, Jr., a Tennessee attorney, has pled guilty to a serious crime, felony theft of property - \$10,000 - \$60,000. Mr. Carter has filed an objection to the entry of this Order, on the grounds that, because his plea of guilty has been entered pursuant to Tenn. Code Ann. § 40-35-313, he has not yet been convicted of any crime.

After consideration of the entire record before the Court, it is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. Supreme Court Rule 9, Section 14.1 requires immediate suspension of an attorney who has entered a plea of guilty to a "serious crime", whether or not the trial court has found the attorney guilty. Under Section 14.2 the term "serious crime" includes all felonies. Therefore, Mr. Carter's actions meet the definitions found in Section 14 and require immediate suspension;
2. Robert Thomas Carter, Jr., is suspended from the practice of law on this date pending further orders of this Court, pursuant to Section 14 of Rule 9 of the Rules of the Supreme Court of Tennessee;
3. This matter shall 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 conviction by the Guilty Plea and the timing of imposition of that discipline;

4. By Order entered July 21, 2010, Robert Thomas Carter, Jr., was temporarily suspended for his failure to substantially comply with his Tennessee Lawyers Assistance Program (TLAP) Monitoring Agreement. The entry of this Order does not affect the continuing violation of the prior disciplinary Order.

5. Robert Thomas Carter, Jr. shall fully comply with the provisions of Section 18 of Rule 9, Rules of the Supreme Court, concerning disbarred or suspended attorneys; and

6. The Board of Professional Responsibility shall cause notice of this suspension to be published as required by Supreme Court Rule 9.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK
CHIEF JUSTICE