

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**FILED**

JUN 17 2010

**IN RE: RICHARD D. CARTWRIGHT, BPR #11242** Clerk of the Courts  
An Attorney Licensed to Practice Law in Tennessee  
(Hamilton County)

NO. M2010-01306-SC-BPO-BP  
BOPR No. 2009-1823-8-KH

**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed on June 9, 2009 by the Board of Professional Responsibility ("Board") against Richard D. Cartwright ("Respondent"); upon a Supplemental Petition for Discipline filed on August 12, 2009 by the Board against the Respondent; upon Motions for Default and That Allegations Be Deemed Admitted filed by the Board relative to the Petition for Discipline and Supplemental Petition for Discipline on August 12, 2009 and October 26, 2009, respectively; upon an Order of Default entered on December 16, 2009; upon the hearing conducted January 11, 2010, which the Respondent did not attend; upon Findings of Fact and Conclusions of Law entered by the Hearing Panel on April 13, 2010, which have not been appealed; upon the approval of the Board given on June 11, 2010; and upon the entire record in this cause.

From all of which the Court approves the Findings of Fact and Conclusions of Law of the Hearing Panel and adopts the judgment of the Hearing Panel as the Court's Order.

By Order entered November 25, 2008 (M2008-02620-SC-BPD-BP), Respondent was suspended for three (3) years, with the first year served as an active suspension and the remaining two (2) years to be served on probation. The Order required Respondent to petition for reinstatement at the expiration of the first year. Further, the Order required Respondent to comply with certain conditions, including compliance with the Tennessee Lawyer's Assistance Program ("TLAP") and restitution. Respondent has not made application for reinstatement. Further, due to Respondent's noncompliance with TLAP, an Order of Temporary Suspension (M2009-02465-SC-BPR-BP) was entered on December 3, 2009 pursuant to Section 4.3 of Supreme Court Rule 9. Respondent has not filed a petition to dissolve the temporary suspension. Finally, Respondent was suspended for CLE noncompliance on August 17, 2009.

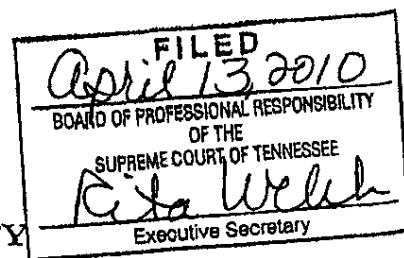
It is therefore, **ORDERED, ADJUDGED and DECREED** by the Court that:

1. Respondent, Richard D. Cartwright, be and is hereby disbarred pursuant to Supreme Court Rule 9, Section 4.1.
2. Pursuant to Supreme Court Rule 9, Section 4.7, Respondent shall pay restitution as set forth in the judgment of the Hearing Panel attached hereto in relevant part as Exhibit A. Payment of restitution shall be a condition precedent to reinstatement.
3. Further, Respondent shall be required to take and successfully complete the Tennessee bar examination as a condition precedent to reinstatement.
4. Upon entry of this Order, the Order of Temporary Suspension entered on December 3, 2009 is hereby dissolved. The entry of this Order, however, does not affect the continuing validity of the November 25, 2009 Order of Enforcement and Respondent must take all adequate steps to comply with the conditions of that Order and with the steps required under Section 19.1 for reinstatement. Further, Respondent must meet all CLE requirements prior to reinstatement.
5. Respondent shall comply in all aspects with Supreme Court Rule 9, Sections 18 and 19 regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement.
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 \$2,037.00, and in addition, shall pay to the Clerk of this Court the costs incurred herein, for all of which execution may issue if necessary.
7. The Board shall cause notice of this disbarment to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark  
CORNELIA A. CLARK  
JUSTICE

IN THE DISCIPLINARY DISTRICT VIII  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE



In Re: RICHARD D. CARTWRIGHT  
BPR #11242, Respondent  
An Attorney Licensed to  
Practice Law in Tennessee  
(Tipton County)

Docket No. 2009-1823-8-KH

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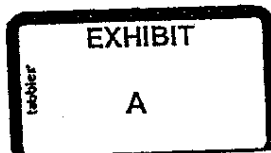
FINDINGS OF FACT AND CONCLUSIONS OF LAW OF THE HEARING PANEL

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This matter came to be heard on January 11, 2010 before this hearing panel of the Board of Professional Responsibility of the Supreme Court of Tennessee on a Petition for Discipline and Supplemental Petition for Discipline filed by the Board, by and through Disciplinary Counsel. Orders of Default were entered in this cause on December 16, 2009. Since the allegations have been deemed admitted pursuant to the Orders of Default, the hearing panel heard argument from Disciplinary Counsel regarding the appropriate sanction. Respondent did not appear for the hearing.

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(recitation of facts of each complaint omitted)



### JUDGMENT

Based on the foregoing facts and conclusions of law, including the aggravating factors set forth, the Panel concludes that the established violations of the Rules of Professional Conduct justify disbarment.

Respondent shall be required to take and successfully complete the bar examination as a condition of reinstatement. Further, the Panel finds that Respondent shall be required to pay restitution in the following amounts. Restitution shall also be a condition of reinstatement.

1. Kimberly White, File No. 31003-8-TH: \$1,100.00
2. Sonya Coleman, File No. 31692-8-KH: \$1,290.00
3. Danny Taylor, File No. 31724c-8-KS: \$1,279.00
4. Rhonda Leopard, File No. 31725c-9-KS: \$1,000.00
5. Daryl Kidd, File No. 31740-8-KS: \$500.00
6. Vicky Stephenson, File No. 31744-8-KH: \$500.00
7. Stephanie Hawes, File No. 31746-8-KS: \$2,500.00
8. Lesley Akins, File No. 31750-8-KS: \$1,160.00
9. Jackie Starnes, File No. 31751-8-KS: \$500.00

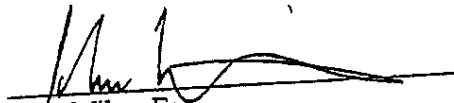
10. Joseph and Teresa Mincks, File No. 31753-8-KS: \$450.00
11. Laura Moon, File No. 31757-8-KS: \$500.00
12. Anthony Wilson, File No. 31770-8-KS: \$300.00
13. Margie McDaniel, File No. 31780-8-KS: \$100.00
14. Edith Eppley, File No. 31781-8-KS: \$826.00
15. Donna Lilly, File No. 31805-8-KS: \$850.00
16. Denise Elkins, File No. 31821-8-KS: \$204.00
17. Sadie Jarrett, File No. 31840-8-KS: \$2,500.00
18. Clinton Lemons, File No. 31845-8-KS: \$300.00
19. Edward Cannady, File No. 31846-8-KS: \$150.00
20. Charles and Crystal Archer, File No. 31855-8-KS: \$831.00
21. Bryan and Cassandra Bridgewater, File No. 31856-8-KS: \$700.00
22. Mr. and Mrs. Crenshaw, File No. 31882-8-KS: \$250.00
23. Tara McClelland, File No. 31898-8-KS: \$700.00
24. Michele Lawson, File No. 31905-8-KS: \$700.00
25. Nakeisha Griffin, File No. 32009-8-KS: \$1,100.00
26. Lisa Bostic, File No. 32023-8-KS: \$1,500.00

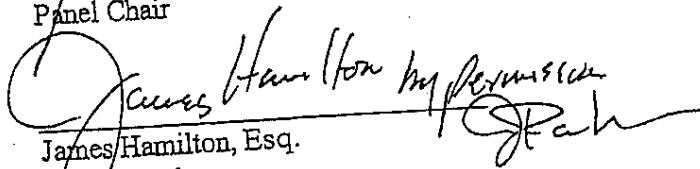
The following cases also require restitution for unearned fees. Respondent shall disgorge all unearned fees in the following matters and provide proof to the Board that such restitution has been made as a condition for reinstatement.

27. Frank Deslauriers, File No. 32059-8-KS: for fees owed to his client who is currently represented by Mr. Deslauriers
28. Nathaniel Tidwell, File No. 30953-8-TH

29. Loretta Richmond, File No. 31065c-9-TH
30. Bobby Elkins, File No. 31620c-8-KS
31. Edward Johnson, File No. 31756-8-KS
32. Gary and Leah Carroll, File No. 31793-8-KH
33. Tonya Moss, File No. 31808-8-KS
34. Robert and Patricia Brown, File No. 31841-8-KS
35. Jon Hill, File No. 31921-8-KS
36. Latoya Somerville, File No. 32060-8-KS


IT IS SO ORDERED.

  
John Miles, Esq.  
Panel Chair

  
James Hamilton, Esq.  
Panel Member

  
Jeffrey Farham, Esq.  
Panel Member

PREPARED BY:

  
Krisann Hodges, BPR #17086  
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