



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

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RELEASE OF INFORMATION
RE: RICHARD D. CARTWRIGHT, BPR# 11242
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

June 22, 2010

FORMER COVINGTON LAWYER DISBARRED

On June 17, 2010, Richard D. Cartwright, formerly of Covington, Tennessee, was disbarred by the Tennessee Supreme Court. As of the date of this disbarment, Mr. Cartwright was also serving a three (3) year suspension from a prior disciplinary matter. He had been temporarily suspended by the Court pursuant to Section 4.3 of Supreme Court Rule 9 on December 3, 2009 for failing to comply with the Tennessee Lawyer's Assistance Program. Finally, he was suspended by the Commission on Continuing Legal Education on August 17, 2009, for noncompliance.

On June 9, 2009, the Board of Professional Responsibility filed a Petition for Discipline containing thirty-three (33) complaints of misconduct against Mr. Cartwright. A Supplemental Petition for Discipline was filed against Mr. Cartwright on August 12, 2009, containing four (4) additional complaints of misconduct. Mr. Cartwright did not file an answer to either petition. A Hearing Panel granted a default judgment recommending that Mr. Cartwright be disbarred and pay restitution to thirty-six (36) former clients. Mr. Cartwright abandoned his practice immediately following the entry of a prior disciplinary order of suspension and did not inform clients or courts of the suspension. In twenty-seven (27) of the complaints, Mr. Cartwright failed to inform clients of his suspension as required by Section 18 of Supreme Court Rule 9 thus resulting in his failure to return client property and legal fees. All of the complaints contain allegations of lack of communication and lack of diligence. Mr. Cartwright also failed to respond to the Board's inquiries in thirty-four (34) of the complaints in violation of Rule of Professional Conduct 8.1.

Mr. Cartwright's actions violate the following Rules of Professional Conduct: 1.1, Competence; 1.3, Diligence; 1.4, Communication; 1.5, Fees; 1.16, Declining and Terminating Representation; 3.2, Expediting Litigation; 8.1, Bar Admission and Disciplinary Matters; and 8.4, Misconduct.

Mr. Cartwright must comply with Sections 18 and 19 of Supreme Court Rule regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement. He must pay the Board's costs and expenses prior to reinstatement to the practice of law.

Cartwright 1823-8 rel.doc

PLEASE NOTE

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

JUN 17 2010

IN RE: RICHARD D. CARTWRIGHT, BPR #11242

An Attorney Licensed to Practice Law in Tennessee
(Hamilton County)

Clerk of the Courts

NO. M2010-01306-SC-BPO-RP
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

FILED
April 13 2010
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE
Rita Welch
Executive Secretary

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW OF THE HEARING PANEL

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.

* * *

(recitation of facts of each complaint omitted)

EXHIBIT
A

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

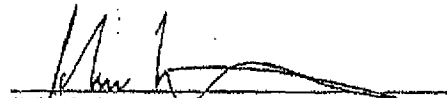
10. Joseph and Teresa Mincks, File No. 31753-8-KS: \$450.00
11. Laura Moon, File No. 31757-8-KS: \$500.00
12. Anthony Wilson, File No. 31770-8-KS: \$300.00
13. Margie McDaniel, File No. 31780-8-KS: \$100.00
14. Edith Eppley, File No. 31781-8-KS: \$826.00
15. Donna Lilly, File No. 31805-8-KS: \$850.00
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

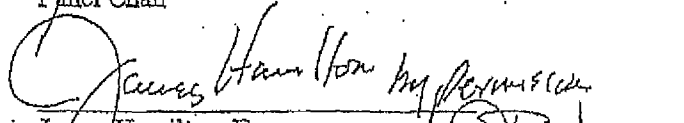
The following cases also require restitution for unearned fees. Respondent shall disgorge all unearned fees in the following matters and provide proof to the Board that such restitution has been made as a condition for reinstatement.


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
 Disciplinary Counsel
 Suite 730
 1101 Kermit Drive
 Nashville, Tennessee 37217
 (615) 361-7500

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

filed in the cause.
 This 7 day of June, 2010
 CLERK OF COURT
 By: 