



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

10 CADILLAC DRIVE, SUITE 220
BRENTWOOD, TENNESSEE 37027
TELEPHONE: (615) 361-7500
(800) 486-5714
FAX: (615) 367-2480
E-MAIL: ethics@tbpr.org
Website: www.tbpr.org

RELEASE OF INFORMATION
RE: ROBERT LAWSON CHEEK, JR., BPR #15407
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

February 8, 2017

KNOX COUNTY LAWYER DISBARRED

On February 8, 2017, Robert Lawson Cheek, Jr. was disbarred by the Tennessee Supreme Court. The disbarment is effective immediately. Mr. Cheek must pay the Board of Professional Responsibility's costs and expenses and court costs within ninety days.

Mr. Cheek's client executed a Durable Power of Attorney naming him as her attorney-in-fact. In the years 2010, 2011, and 2012, Mr. Cheek had a power of attorney for all of her business, financial, health, and personal matters. During that time, Mr. Cheek systematically withdrew approximately \$53,500 from her retirement accounts without her knowledge or consent. In August of 2010, Mr. Cheek set up a reverse mortgage in her name without her knowledge in the amount of almost \$60,000. The day after the funds were deposited into his client's bank account, Mr. Cheek withdrew \$58,070.00.

The Hearing Panel determined that Mr. Cheek's unethical conduct violated the Tennessee Rules of Professional Conduct 1.1, Competence; 1.3 Diligence; 1.4 Communication; 1.15 Safekeeping Property and Funds; 8.1 Bar and Disciplinary Matters, and; 8.4 Misconduct.

In unrelated cases, Mr. Cheek was disbarred on May 15, 2014, and August 12, 2015. To date, Mr. Cheek has not been reinstated from his previous disbarment.

Mr. Cheek must comply with Tennessee Supreme Court Rule 9, Sections 28 and 30 regarding the obligations and responsibilities of disbarred attorneys.

Cheek 2569-2 rel.doc

FILED

02/08/2017

Clerk of the
Appellate Courts

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: ROBERT LAWSON CHEEK, JR., BPR #15407

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

No. M2017-00242-SC-BAR-BP
BOPR No. 2016-2569-2-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Robert Lawson Cheek, Jr., on April 5, 2016; upon Motion for Default Judgment and that the Allegations Contained in the Petition for Discipline Be Deemed Admitted filed on June 28, 2016; upon entry of an Order Granting Motion for Default on June 20, 2016; upon entry of the Findings of Fact and Conclusions of Law of the Hearing Panel on October 3, 2016; upon service of the Findings of Fact and Conclusions of Law on Mr. Cheek by the Executive Secretary of the Board on October 3, 2016; upon entry of the Judgment on the Board of Professional Responsibility's Application for Assessment of Costs on November 29, 2016; upon service of the Judgment on the Board of Professional Responsibility's Application for Assessment of Costs on Mr. Cheek by the Executive Secretary of the Board on November 29, 2016; upon consideration and approval by the Board on December 9, 2016; upon expiration of the appeal period with no appeal taken; and upon the entire record in this cause.

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

On August 31, 2012, Mr. Cheek was suspended from the practice of law for non-compliance with Continuing Legal Education requirements. On May 15, 2014, Mr. Cheek was disbarred by this Court pursuant to Tenn. Sup. Ct. R. 9, § 4.1 (2006) (Docket No. M2012-02741-SC-BAR-BP). On August 12, 2015, Mr. Cheek was disbarred by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.1 (2014) (Docket No. M2014-00936-SC-BAR-BP). To date, Mr. Cheek has not requested, nor been granted reinstatement.

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

(1) Robert Lawson Cheek, Jr., is disbarred from the practice of law pursuant to Tenn. Sup. Ct. R. 9, § 12.1.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7, Mr. Cheek shall be required to make restitution to Ada Koho in the amount of \$111,570.00. Payment of restitution is a condition precedent to reinstatement. In the event restitution is made by the Tennessee Lawyers' Fund for Client Protection ("TLFCP"), Mr. Cheek will be responsible for reimbursement to the TLFCP of the same amount.

(3) Mr. Cheek shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30 regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement. Prior to seeking reinstatement, Mr. Cheek must meet all CLE requirements and pay any outstanding registration fees including those due from the date of suspension until the date of reinstatement.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 28.5, this Order shall be effective immediately.

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Mr. Cheek shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$677.70, 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.

(7) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM