



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

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**RELEASE OF INFORMATION**  
**RE: HOMER L. CODY, BPR #10755**  
**CONTACT: KEVIN D. BALKWILL**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

March 19, 2012

**SHELBY COUNTY LAWYER CENSURED**

On March 16, 2012, Homer L. Cody of Memphis, Tennessee, was Publicly Censured by the Tennessee Supreme Court pursuant to Rule 9, Section 4.4, of the Rules of the Supreme Court.

Mr. Cody represented parties to the same action that had adverse interests against one another causing a direct conflict of interest in his representation. Both the Tennessee Court of Appeals and the trial court ordered Mr. Cody to refrain from representation of either party. Despite the court order, Mr. Cody continued to provide legal services to one of the parties.

By the aforementioned acts, Homer L. Cody has violated Rule 1.7 (conflict of interest), 3.1 (meritorious claims and contentions), and 8.4 (misconduct) of the Rules of Professional Conduct and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Cody 2008-9 rel.doc

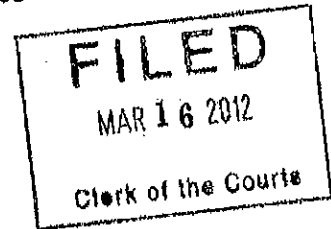
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IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

IN RE HOMER L. CODY, BPR #010755  
An Attorney Licensed to Practice Law in Tennessee  
(Shelby County)

\_\_\_\_\_  
No. M2012-00522-SC-BPR-BP  
BOPR Docket No. 2011-2008-9-RS  
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**ORDER OF ENFORCEMENT**


This matter is before the Court upon a Petition for Discipline filed by Disciplinary Counsel against Respondent, Homer L. Cody, on February 3, 2011; upon Answer to the Petition for Discipline filed by Mr. Cody on February 25, 2011; upon the Judgment of the Hearing Panel filed November 14, 2011; upon the approval of the Board of Professional Responsibility on January 6, 2012; and upon the entire record in this cause.

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

It is, therefore, ordered, adjudged, and decreed by the Court,

1. That Mr. Cody is hereby publicly censured pursuant to Tenn. Sup. Ct. R. 9, § 4.4; and
2. Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. Cody shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,196.00, and in addition, shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days from the entry of this order, for all of which execution may issue if necessary.
3. That the Board of Professional Responsibility of the Supreme Court shall cause notice of this public censure to be published as required by Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:

  
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WILLIAM C. KOCH, JR., JUSTICE