



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

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RELEASE OF INFORMATION
RE: HOMER L. CODY, BPR #10755
CONTACT: WILLIAM C. MOODY
BOARD OF PROFESSIONAL RESPONSIBILITY
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July 8, 2016

SHELBY COUNTY ATTORNEY SUSPENDED

On July 7, 2016, Homer L. Cody, of Memphis, Tennessee, was suspended for one year by the Tennessee Supreme Court. The suspension will begin on July 17, 2016. Further, Mr. Cody must pay the Board of Professional Responsibility's costs and expenses and the court costs within ninety days.

Mr. Cody represented the plaintiffs in a lawsuit wherein the judge found that Mr. Cody had a conflict of interest. The court disqualified Mr. Cody from continuing to represent the plaintiffs. Mr. Cody was ordered to refrain from filing any other pleadings on behalf of the plaintiffs. The judge dismissed the plaintiffs' case. When two of the plaintiffs appealed, Mr. Cody circumvented the court's order by writing two appellate briefs for those plaintiffs who then signed and filed the briefs as if they were not represented by an attorney.

A Hearing Panel found Mr. Cody's actions violated the following Rules of Professional Conduct: 3.4(c), Fairness to Opposing Party, and 8.4(a), (c) and (d), Misconduct. Mr. Cody appealed the decision to the Circuit Court for Shelby County, which affirmed the Hearing Panel's decision. Mr. Cody appealed the decision of the Shelby County Circuit Court to the Supreme Court of Tennessee. The Supreme Court dismissed Mr. Cody's appeal because the brief he filed did not comply with the Tennessee Rules of Appellate Procedure.

Mr. Cody must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 18 (2006) and 30 (2014), regarding the obligations and responsibilities of suspended attorneys.

Cody 2339-9 rel.doc