



**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: HOMER L. CODY, BPR #10755
CONTACT: WILLIAM C. MOODY
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

April 20, 2018

SHELBY COUNTY LAWYER HELD IN CRIMINAL CONTEMPT

On April 19, 2018, the Supreme Court adopted the recommendation of a Special Master and held Homer L. Cody of Memphis, Tennessee in criminal contempt and sentenced him to serve thirty days in jail. The Court previously had entered an Order of Enforcement on July 27, 2015 suspending Mr. Cody's license to practice law for one-hundred eighty days; a second Order of Enforcement on July 7, 2016 suspending Mr. Cody's license for one year; and a third Order of Enforcement on August 11, 2017 suspending Mr. Cody's license for two years, in connection with three judgments of Hearing Panels issued on Petitions for Discipline filed by the Board of Professional Responsibility.

The Board received a complaint that after the effective date of the first two suspensions, Mr. Cody continued to practice law by filing two pleadings in a case in the Shelby County Chancery Court, and that after the effective date of the third suspension, Mr. Cody continued to practice law by filing a third pleading in the same case. Following an investigation, the Board filed a Petition for Contempt on August 11, 2017. The Supreme Court appointed a Special Master who held a hearing on December 4, 2017. In the report and recommendation filed on February 1, 2018, the Special Master found Mr. Cody guilty beyond a reasonable doubt of three counts of criminal contempt pursuant to Tenn. Code Ann. 29-9-102, and sentenced him to ten days in jail plus a \$50.00 fine for each.

On February 8, 2018, the Supreme Court ordered Mr. Cody to show cause why the recommendation should not be adopted. By the April 19, 2018 Order, the Court has adopted the recommendation finding that, while on suspension, Mr. Cody willfully and intentionally engaged in three separate acts of criminal contempt by filing the pleadings in the Chancery Court for Shelby County.

The Court sentenced Mr. Cody to a period of incarceration of thirty days and ordered him to pay a fine of \$150.00. Mr. Cody was ordered to surrender to the Shelby County Sheriff's Department by May 4, 2018.

Cody 2758-9.doc