

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

JAN 25 2007

Clerk of the Courts

IN RE: CHARLES DANIEL COLLINS, NO. 17304
AN ATTORNEY LICENSED TO PRACTICE LAW IN TENNESSEE
(HAMILTON COUNTY)

BOPR No. 2004-1445-3(C)-JV; 2006-1605-3(C)-JV
No. M2007-00144-SC-BPO-BP

ORDER OF ENFORCEMENT

This matter is before this Court on two Petitions for Discipline filed by the Board of Professional Responsibility of the Supreme Court of Tennessee against the Respondent, Charles Daniel Collins.

Petition for Discipline, Docket No. 2004-1445-3(C)-JV, was filed on May 17, 2004. The Respondent filed an Answer on July 7, 2004. The Board of Professional Responsibility filed a Motion for Partial Summary Judgment on March 9, 2005, to which the Respondent did not file a response. The Hearing Panel of the Board of Professional Responsibility filed an Order Granting Partial Summary Judgment on May 9, 2005. A hearing was conducted before the Hearing Panel on November 16, 2005, to determine the sanction to be imposed. By Order Imposing Sanctions filed on November 28, 2005, attached hereto as Exhibit A, the Hearing Panel found that the Respondent should be suspended from the practice of law for six months and set forth requirements for the Respondent's reinstatement. The Respondent timely filed a Petition for Certiorari pursuant to Sections 1.3 and 8.3 of Supreme Court Rule 9 in the Circuit Court for Hamilton County, No. 06-0077, seeking review of the Order Imposing Sanctions filed on November 28, 2005. The matter was set for hearing in the Circuit Court for Hamilton County on October 13, 2006. Although provided notice of the hearing, the Respondent did not appear. By Order filed October 27, 2006, the Circuit Court dismissed the Respondent's Writ of Certiorari. The Respondent did not appeal the October 27, 2006, Order.

A Petition for Discipline, Docket No. 2006-1605-3(C)-JV, was filed on May 25, 2006. The Respondent was temporarily suspended from the practice of law by Order of this Court, No. M2005-00994-SC-BPR-BP, filed on June 6, 2006, for failure to respond to a complaint of misconduct and has remained on suspension since that date. A Supplemental Petition for Discipline was filed on June 27, 2006. The Respondent did not file an Answer to the Petition or the Supplemental Petition for Discipline. The Hearing Panel entered Default Judgments

against the Respondent on the Petition and Supplemental Petition for Discipline on July 25, 2006, and August 9, 2006, respectively. A hearing was conducted before the Hearing Panel on September 27, 2006, to determine the sanction to be imposed. The Respondent did not appear for the hearing. By Order Imposing Sanctions filed October 3, 2006, attached hereto as Exhibit B, the Hearing Panel found that the Respondent should be suspended for two years to run consecutively to the six-month suspension imposed in Docket No. 2004-1445-3(C)-JV, if that matter was affirmed on appeal, otherwise to commence on June 6, 2006, the day on which the Respondent had been temporarily suspended. The Respondent did not file a Petition for Certiorari pursuant to Sections 1.3 and 8.3 of Supreme Court Rule 9 seeking review of the Order Imposing Sanction filed October 3, 2006.

It is, therefore, ORDERED, ADJUDGED and DECREED by this Court that the Order Imposing Sanctions filed in Docket No. 2004-1445-3(C)-JV on November 28, 2005, be entered for enforcement, and that:

1) Charles Daniel Collins is suspended from the practice of law for six months, effective the date of the filing of this Order.

2) Paragraphs 2 and 3 of the Order Imposing Sanctions filed November 28, 2005, are moot as a consequence of the suspension entered pursuant to Docket No. 2006-1605-3(C)-JV, hereinbelow.

3) Upon filing of any Petition for Reinstatement, Mr. Collins shall show proof that he has paid any monies owing to the Hamilton County Chancery Court in the matter of Anna Mae Davis, No. 00-P-088, and that he has done all that is required for the clerk and master to release the \$500.00 bond to Ms. Ables in the matter of the Estate of Gertrude Howard Strother, Hamilton County Chancery Court, No. 03-P-040.

It is further ORDERED, ADJUDGED, and DECREED by this Court that the Order Imposing Sanctions filed in Docket No. 2006-1605-3(C)-JV on October 3, 2006, be entered for enforcement by this Court, and that Charles Daniel Collins is suspended from the practice of law for two years, to run consecutive to the six-month suspension in Docket No. 2004-1445-3(C)-JV, hereinabove.

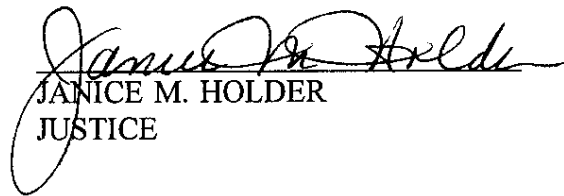
It is further ORDERED, ADJUDGED and DECREED that, pursuant to Section 24.3 of Rule 9 of this Court, the Respondent shall reimburse and pay to the Board of Professional Responsibility the costs and expenses of this proceeding in the amount of \$2,831.35 in Docket No. 2004-1445-3(C)-JV, and \$2,410.00 in Docket No. 2006-1605-3(C)-JV, and, in addition, shall pay to the Clerk of this Court the costs incurred herein, for all of which execution shall issue, if necessary.

Pursuant to Section 24.3 of Supreme Court Rule 9, payment of costs assessed to the Respondent shall be a condition precedent to any reinstatement of Charles Daniel Collins to the practice of law.

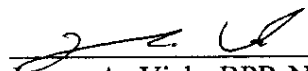
Pursuant to Section 18.9 of Supreme Court Rule 9, proof of compliance with Section 18 of Supreme Court Rule 9 shall be a condition precedent to any petition for reinstatement.

Entered this 18th day of January, 2007.

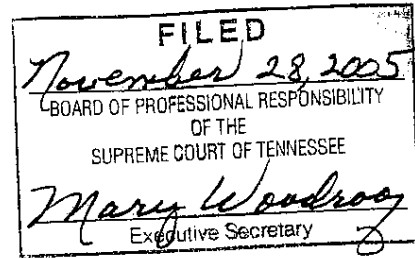
FOR THE COURT:


JANICE M. HOLDER
JUSTICE

APPROVED FOR ENTRY:


James A. Vick, BPR No. 9843
Disciplinary Counsel
Board of Professional Responsibility
Suite 730
1101 Kermit Drive
Nashville, Tennessee 37217
(615) 361-7500

IN DISCIPLINARY DISTRICT III
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE



IN RE: CHARLES DANIEL COLLINS,
BPR NO. 17304, An
Attorney Licensed to
Practice Law in Tennessee
(Hamilton County)

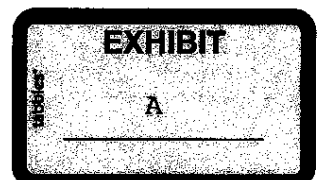
DOCKET NO. 2004-1445-3(C)-JV

ORDER IMPOSING SANCTIONS

This matter came to be heard before the Hearing Panel on November 16, 2005. Upon the admissions of Mr. Collins and upon the Panels' previous grant of the Motion for Summary Judgment on behalf of the Board, the Panel finds a basis to impose suspension in this matter. Accordingly it is hereby **ORDERED** that Mr. Collins' license shall be suspended for a period of six (6) months; Further it is

ORDERED that the following conditions shall be imposed upon Mr. Collins in order that he may have his license reinstated following the suspension period:

- 1) Mr. Collins shall have to apply for the reinstatement of his license as he would have to pursuant to Supreme Court Rule 9, Section 19, if his license was suspended for a year or more;
- 2) In particular, Mr. Collins may apply for reinstatement after 90 days. Upon receipt of the petition, the Board shall promptly refer the petition to a hearing committee in the disciplinary district in which the petitioner maintained an office at the time of the suspension. Such hearing committee shall schedule a hearing at which the petitioner shall have the burden of demonstrating by clear and convincing evidence that the attorney has the moral qualifications, competency, and learning in law required for admission to practice law in this State, and that the resumption of the practice of law within the State will not be detrimental to the integrity and standing of the Bar or the administration of justice, or subversive to the public interest.



- 3) Any further procedure related to the reinstatement process shall be as described in Section 19 of Supreme Court Rule 9; and
- 4) Upon filing of any Petition for Reinstatement, Mr. Collins shall show proof that he has paid any monies owing to the Hamilton County Chancery Court in the matter of Anna Mae Davis, No. 00-P-088, and that he has done all that is required for the clerk and master to release the \$500 bond to Ms. Ables in the matter of the Estate of Gertrude Howard Strother, Hamilton County Chancery Court, No. 03-P-040.

Finally, it is

ORDERED that all costs of this matter shall be adjudged against Mr. Collins.

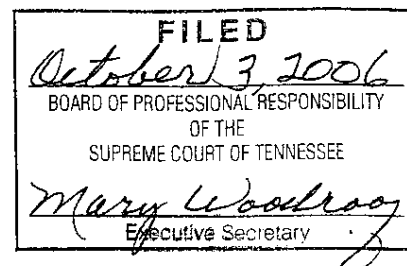
Enter this 22 day of November, 2005.

Myrlene R. Marsa
Myrlene R. Marsa, Chair

Jeffrey S. Schaarschmidt, by MRM
Jeffrey S. Schaarschmidt, Member

Robin L. Miller, by MRM
Robin L. Miller, Member

IN THE DISCIPLINARY DISTRICT III
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE



IN RE: CHARLES DANIEL COLLINS,
Bar No. 17304,
Attorney Licensed to Practice Law
in the State of Tennessee

DOCKET NO. 2006-1605-3C-JV

ORDER IMPOSING SANCTIONS

This matter came before the Hearing Panel on September 27, 2006. Based upon the Panel's prior grant of Default Judgment on the Petition and Supplemental Petition, Mr. Collins' failure to appear at the September 27 hearing, Mr. Collins' disciplinary record, and the entire record in the case, the Panel finds several bases for the imposition of suspension in this matter. Accordingly, it is hereby

ORDERED that Mr. Collins' license shall be suspended for a period of two (2) years, which suspension shall run consecutively to the six (6) month suspension imposed in Docket No. 2004-1445-3(C)-JV, if the Chancery Court of Hamilton County affirms that suspension. Otherwise, this suspension shall commence effective June 6, 2006, the date Mr. Collins was temporarily suspended in the current matter by order of the Supreme Court of Tennessee.

It is further ORDERED that all costs of this matter are adjudged against Mr. Collins.

Enter the 2nd day of October, 2006.

Donna L. Pierce

Donna L. Pierce, Panel Chair

Hallie H. McFadden

Hallie H. McFadden

Marcia M. McMurray

Marcia M. McMurray

