

**IN DISCIPLINARY DISTRICT V
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

**IN RE: JACK HOWELL DAVIS, SR.,
BPR #14570, Respondent,
An Attorney Licensed to
Practice Law in Tennessee
(Davidson County)**

**FILE NO. 30162c-5-SG
FILE NO. 30241c-5-SG
FILE NO. 30240c-5-SG**

PUBLIC CENSURE

FILE NO. 30162c-5-SG

The Respondent represented the Complainant in his divorce. The Respondent filed an appeal for the Complainant on September 25, 2006. The Complainant's appeal was dismissed by Order of the Court of Appeals on February 5, 2007 for the Respondent's failure to pay the litigation tax. The Court's February 5, 2007 Order further stated that the Court had on two occasions (i.e., November 29, 2006 and January 3, 2007) directed the Complainant to pay the tax or show cause why it should not be paid. The Court states in its February 5, 2007 Order that its November 29, 2006 Order sent to the Respondent was returned to the Clerk as "unclaimed".

FILE NO. 30241c-5-SG

The Respondent represented the Complainant in his divorce during 2004-2005. The Complainant states he attempted unsuccessfully to obtain a copy of his Final Decree from

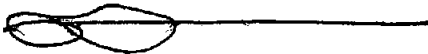
Respondent since July 15, 2005. The Complainant complains that the Respondent will not accept or return his calls.

FILE NO. 30240c-5-SG

The Complainant retained the Respondent on November 13, 2006, paying \$3,500 for the Respondent's representation in a divorce. The Respondent filed a Motion to Bifurcate and obtained a divorce decree for the Complainant in January, 2007 with the property settlement issues remaining. A hearing was scheduled on March 30, 2007. The Respondent's former paralegal and not the Respondent advised the Complainant that the Respondent was sick and unable to attend the March 30, 2007 hearing. The Respondent failed to file a Motion to Continue the hearing but did orally continue the March 30, 2007 hearing.

On October 18, 2007, the Respondent was temporarily suspended by the Supreme Court for failure to respond to the Board of Professional Responsibility concerning a complaint. The Respondent's neglect and failure to adequately communicate with his clients, the Court of Appeals and the Board of Professional Responsibility violate Rules 1.3; 1.4; 8.1 and 8.4 of the Tennessee Rules of Professional Conduct. For these actions, the Board of Professional Responsibility **publicly censures** the Respondent.

For the Board of Professional Responsibility
of the Supreme Court of Tennessee



Thomas Stratton Scott, Jr., Chairman

Date: 2/25/08