



**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: THOMAS FRANCIS DILUSTRO, BPR #18624
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

March 26, 2014

KNOX COUNTY LAWYER DISBARRED

On March 25, 2014, Thomas Francis diLustro, formerly of Knoxville, Tennessee, was disbarred by the Tennessee Supreme Court, pursuant to Tennessee Supreme Court Rule 9, Section 4.2.

On October 25, 2012, a Petition for Discipline was filed against Mr. diLustro based upon three complaints of misconduct. A Panel determined that Mr. diLustro failed to represent his clients in a diligent manner, failed to keep clients reasonably informed about the status of their cases, failed to promptly respond to numerous reasonable requests for information, forged his client's signature to a parenting plan and submitted the document to the court for approval, falsely testified under oath regarding the signature on the Parenting Plan and failed to act promptly to correct an erroneous child support order.

Mr. diLustro's unethical conduct violated Rules of Professional Conduct 1.3 (diligence); 1.4 (communication); 3.2 (expediting litigation); 3.3 (candor toward the tribunal); 3.4 (fairness to opposing party and counsel); 8.1 (bar admission and disciplinary matters); and 8.4 (misconduct).

Mr. diLustro must comply with Tennessee Supreme Court Rule 9, Sections 18 and 19 regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement. He must pay the Board's costs and expenses prior to reinstatement to the practice of law.

diLustro 2169-2 rel.doc

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

2014 MAR 25 PM 1:03

IN RE: THOMAS FRANCIS DILUSTRO, BPR #18624

An Attorney Licensed to Practice Law in Tennessee
(Knox County)

APPELLATE COURT CLERK
NASHVILLE

No. M2014-00534-SC-BAR-BP
BOPR No. 2012-2169-2-SG

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed by the Board of Professional Responsibility (Board) against Thomas Francis diLustro on October 25, 2012; upon the Answer to Petition for Discipline filed by Mr. diLustro on November 27, 2012; upon the final hearing held October 28, 2013, for which Mr. diLustro did not appear; upon the Judgment of the Hearing Panel entered November 8, 2013; upon the Amended Judgment of the Hearing Panel entered November 14, 2013; upon Mr. diLustro's Motion for Rehearing filed December 3, 2013; upon the Response of the Board to the Motion for Rehearing filed December 10, 2013; upon the Order of the Hearing Panel denying the Motion for Rehearing filed December 17, 2013; upon consideration and approval by the Board on December 6, 2013; upon expiration of the appeal period with no appeal taken; and upon the entire record in this cause.

From all of which the Court approves the Amended Judgment of the Hearing Panel and adopts the Amended Judgment of the Hearing Panel as this Court's Order.

On October 9, 2013, Mr. diLustro was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 4.3 (Case No. M2013-02233-SC-BAR-BP). The underlying complaint of misconduct was resolved by the issuance of a Public Censure by the Board on January 13, 2014.

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

(1) Thomas Francis diLustro is hereby disbarred from the practice of law pursuant to Tenn. Sup. Ct. R. 9, § 4.1¹.

¹Because this case was initiated prior to January 1, 2014, it is governed by the pre-2014 version of Tenn. Sup. Ct. R. 9.

(2) Upon entry of this Order, the Temporary Suspension entered on October 9, 2013, pursuant to Tenn. Sup. Ct. R. 9, § 4.3, shall be dissolved.

(3) Mr. diLustro shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 18 and 19 regarding the obligations and responsibilities of disbarred attorneys.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 18.5, this Order shall be effective ten (10) days after the date of entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. diLustro shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$5,081.65 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(6) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK, JUSTICE