



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

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RELEASE OF INFORMATION
RE: JOHN MARTIN DRAKE, BPR #30532
CONTACT: PRESTON SHIPP
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 16, 2015

DAVIDSON COUNTY LAWYER CENSURED

On October 14, 2015, John Martin Drake, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

In April of 2015, the Court of Criminal Appeals entered an order removing Mr. Drake as counsel after he abandoned his client's appeal from the denial of post-conviction relief. Mr. Drake failed to file a brief on his client's behalf and likewise failed to respond to the Court's inquiries regarding the status of the appeal.

By these acts, John Martin Drake has violated Rule of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), 3.2 (expediting litigation), and 8.4 (misconduct) and is hereby Publicly Censured for this violation. Pursuant to Tennessee Supreme Court Rule 9, Section 12.8, the Public Censure was conditioned upon the fact that Mr. Drake will submit to a TLAP-requested evaluation and will follow all subsequent TLAP recommendations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Drake 40868-5 rel.doc

IN DISCIPLINARY DISTRICT 5
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: John Martin Drake, BPR NO. 30532
Respondent, an attorney licensed
to practice law in Tennessee
(Davidson County)

FILE NO. 40868-5-PS

PUBLIC CENSURE

The above complaint was filed against John Martin Drake, #30532, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered these matters at its meeting on September 11, 2015.

In April of 2015, the Court of Criminal Appeals entered an order removing Mr. Drake as counsel for his client, who was appealing the denial of post-conviction relief. Mr. Drake failed to file a brief on his client's behalf and likewise failed to respond to the Court's inquiries regarding the status of the appeal. The Court removed Mr. Drake as counsel for his client because he abandoned the case.

By the aforementioned acts, Mr. Drake has violated Rule of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), 3.2 (expediting litigation), and 8.4 (misconduct) and is hereby Publicly Censured for these violations. Pursuant to Tennessee Supreme Court Rule 9, Section 12.8, the Public Censure was conditioned upon the fact that Mr. Drake will submit to TLAP-requested evaluation and will follow all subsequent TLAP recommendations.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



Michael King, Chair

10-14-2015
Date