

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

EARNEST E. FIVEASH, JR., BPR #010769
Attorney, Shelby County

FILED

DEC 31 2002

Clerk of the Courts

BOPR DOCKET NO. 99-1119-9-C

NO. M2002-03138-SC-BPO-BP

ORDER OF ENFORCEMENT

The Board of Professional Responsibility of the Supreme Court of Tennessee, by and through Disciplinary Counsel, filed a Petition for Discipline against the Respondent, Earnest E. Fiveash, Jr., a Memphis, Tennessee lawyer, which was served on August 24, 1999.

Pursuant to Section 16.1 of Tennessee Supreme Court Rule 9, Respondent submitted a Conditional Guilty Plea in exchange for a stated form of discipline. The stated form of discipline shall be that Respondent, Earnest E. Fiveash, Jr., shall be suspended from the practice of law for a period of four (4) months; and shall, at his cost, attend the Board of Professional Responsibility's Ethics Workshop for the year 2003; and shall have a monitor acceptable to Disciplinary Counsel who shall monitor his trust account for a period of one (1) year with quarterly reports to Disciplinary Counsel on March 1, 2003; June 1, 2003; September 1, 2003; and January 1, 2004.

The Guilty Plea and stated form of discipline embraces complaint number 19795-9-LC. A copy of the Conditional Guilty Plea is attached hereto as Exhibit A and incorporated herein. The Conditional Guilty Plea was approved by the Hearing Panel and by the Board of Professional Responsibility. *oas*
beginning Jan 01, 2003

It is therefore **ORDERED, ADJUDGED and DECREED** that the Respondent, Earnest E. Fiveash, Jr. is suspended from the practice of law for a period of four (4) months; and he shall attend the Board of Professional Responsibility's Ethics Workshop for 2003 at his expense. ↗

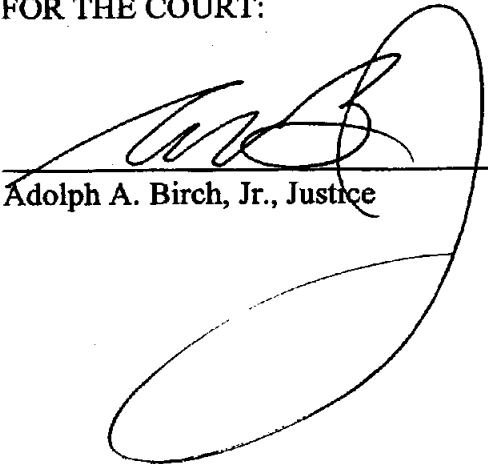
It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Earnest E. Fiveash, Jr. shall have a monitor acceptable to Disciplinary Counsel who shall monitor his trust account for a period of one (1) year with quarterly reports to Disciplinary Counsel on March 1, 2003; June 1, 2003; September 1, 2003; and January 1, 2004.

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Earnest E. Fiveash, Jr. shall pay the costs in this matter of \$ 3,763.50 and in addition, shall pay the Clerk of this Court the costs incurred herein as a condition precedent to reinstatement, for all of which execution shall issue, if necessary.

The Board of Professional Responsibility is directed to make notification of this suspension as provided in Section 18.5 of Supreme Court Rule 9.


ENTERED this 31st day of December, 2002.

FOR THE COURT:



Adolph A. Birch, Jr., Justice

APPROVED FOR ENTRY:



Laura L. Chastain, BPR #12018
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