



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

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RELEASE OF INFORMATION
RE: TIMOTHY DARNELL FLOWERS, BPR# 19382
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 30, 2010

MEMPHIS LAWYER SUSPENDED

On July 27, 2010, Timothy Darnell Flowers of Memphis, Tennessee, was suspended from the practice of law for three (3) years by the Tennessee Supreme Court and ordered to pay restitution to a former client. This suspension shall run concurrently with a previous one (1) year suspension imposed by the Supreme Court on June 4, 2010.

On June 20, 2008, a Petition for Discipline was filed against Mr. Flowers containing six (6) complaints of disciplinary misconduct. A Supplemental Petition for Discipline was filed against Mr. Flowers on August 27, 2008, containing six (6) additional complaints of misconduct. A hearing was held on October 21-23, 2009. A Hearing Panel determined that Mr. Flowers failed to act diligently in pursuing his clients' interest in multiple cases by accepting fees to file appeals with the Board of Immigration Appeals and then failing to file briefs or offer appropriate legal analysis to support the clients' appeals. Further, Mr. Flowers failed to properly communicate with clients about the status of their cases. In one matter, Mr. Flowers failed to appear for a deportation hearing despite having advance notice of the hearing. Mr. Flowers failed to refund legal fees despite his failure to timely file an appeal or appear at a hearing. Finally, Mr. Flowers repeatedly failed to respond to lawful demands by the Board for information concerning the disciplinary complaints.

Mr. Flowers' actions violate the following Rules of Professional Conduct: 1.1, Competence; 1.3, Diligence; 1.4, Communication; 1.15, Safekeeping Property; 1.16, Declining and Terminating Representation; 8.1, Bar Admission and Disciplinary Matters; and 8.4, Misconduct.

Mr. Flowers must comply with Section 18 of Rule 9, Rules of the Supreme Court, regarding the obligations and responsibilities of suspended attorneys. He must pay the Board's costs and expenses prior to reinstatement to the practice of law.

Flowers 1756-9 rel.doc

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
JUL 27 2010
Clerk of the Courts

IN RE: TIMOTHY DARNELL FLOWERS, BPR #19382
An Attorney Licensed to Practice Law in Tennessee
(Shelby County)

NO. M2010-01593-SC-BPO-BP
BOPR No. 2008-1756-9-KH

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed on June 20, 2008 by the Board of Professional Responsibility ("Board") against Timothy Darnell Flowers ("Respondent"); upon an Answer filed by Respondent on July 14, 2008; upon an Amended Answer filed by Respondent on July 15, 2008; upon a Supplemental Petition filed by the Board on August 27, 2008; upon Answer to the Supplemental Petition filed by Respondent on September 17, 2008; upon a hearing held October 21-23, 2009; upon Findings of Fact and Conclusions of Law and Judgment entered by the Hearing Panel on January 19, 2010; upon a Motion to Alter or Amend filed by the Board on February 17, 2010; upon Order of the Hearing Panel amending its prior Judgment entered on March 4, 2010; upon approval of the Board given on March 12, 2010; upon a Petition for Certiorari filed by Respondent on March 12, 2010; upon Answer to the Petition for Certiorari filed by the Board on April 9, 2010; upon Motion to Voluntarily Dismiss the Petition for Certiorari filed by Respondent on June 9, 2010; upon Order entered by Special Judge for Shelby County Chancery Court on June 25, 2010, dismissing the appeal; and upon the entire record in this cause.

From all of which the Court approves the Findings of Fact and Conclusions of Law and Judgment of the Hearing Panel and adopts the judgment of the Hearing Panel as the Court's Order.

By Order entered June 4, 2010 (W2008-02648-SC-R3-CV), this Court affirmed the judgment in a prior disciplinary proceeding thereby suspending Respondent's license to practice law for one (1) year and requiring restitution.

It is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. Respondent, Timothy Darnell Flowers, be and is hereby suspended for three (3) years pursuant to Supreme Court Rule 9, Section 4.2. This suspension shall run concurrent with the suspension imposed in Case Number W2008-02648-SC-R3-CV by order and opinion entered June 4, 2010.

2. Pursuant to Supreme Court Rule 9, Section 4.7, Respondent shall pay restitution to Pedro Fernandez-Martinez in the amount of \$3,300.00. Payment of restitution shall be a condition precedent to reinstatement.

3. This suspension shall become effective within ten (10) days of the filing of this Order.

4. The entry of this Order does not affect the continuing validity of the June 4, 2010 Order of suspension and Respondent must take all adequate steps to comply with the conditions of that Order and with the steps required under Section 19.1 for reinstatement. Further, Respondent must meet all CLE requirements prior to reinstatement.

5. Respondent shall comply in all aspects with Supreme Court Rule 9, Sections 18 and 19 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement. In the event that Respondent is reinstated to the practice of law pursuant to Section 19, he shall be required to engage a practice monitor according to terms deemed appropriate by a Hearing Panel.

6. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$20,130.07, and in addition, 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.

7. The Board shall cause notice of this suspension to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK
JUSTICE

Michael W. Catalano, Clerk, hereby certify that
this is a true and exact copy of the original
filed in the case.
This 21 day of July, 2010
BY: Michael W. Catalano
CLERK OF COURT
D.C.