



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

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**RELEASE OF INFORMATION**  
**RE: JOHN P. FORTUNO, BPR #25390**  
**CONTACT: WILLIAM C. MOODY**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

March 22, 2017

**BRADLEY COUNTY LAWYER CENSURED**

On March 21, 2017, John P. Fortuno of Cleveland, Tennessee, was Publicly Censured by order of the Tennessee Supreme Court.

On August 22, 2016, the Board filed a Petition for Discipline against Mr. Fortuno, an assistant public defender, alleging that he committed ethical misconduct by exchanging a series of inappropriate text messages with a client he was appointed to represent creating a potential conflict of interest.

Mr. Fortuno entered into a conditional guilty plea admitting that his actions violated Rules of Professional Conduct 1.7(a)(2) (Conflicts of Interest) and 8.4(a) (Misconduct), and should be Publicly Censured for this violation.

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

Fortuno 2621-3 rel.doc

FILED

03/21/2017

Clerk of the  
Appellate Courts

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE: JOHN P. FORTUNO, BPR #25390**

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

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**No. M2017-00569-SC-BAR-BP**

BOPR No. 2016-2621-3-WM

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against John P. Fortuno on August 22, 2016; upon an Answer to Petition filed by Mr. Fortuno on September 26, 2016; upon entry of a Conditional Guilty Plea filed by Mr. Fortuno on February 7, 2017; upon an Order Recommending Approval of Conditional Guilty Plea entered on February 8, 2017; upon consideration and approval by the Board on March 10, 2017; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea as the Court's Order.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.4, John P. Fortuno is publicly censured.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Mr. Fortuno shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$924.33 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.

(3) The Board of Professional Responsibility shall cause notice of this discipline to be published.

PER CURIAM