



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

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RELEASE OF INFORMATION
RE: JACKIE LYNN GARTON, BPR #016106
CONTACT: BRITTANY LAVALLE
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

September 10, 2020

DICKSON COUNTY LAWYER PERMANENTLY DISBARRED

Effective September 10, 2020, the Supreme Court of Tennessee permanently disbarred Jackie Lynn Garton from the practice of law and ordered restitution in the amount of \$1,365,203.42 and costs of the disciplinary proceeding be paid.

Mr. Garton was previously suspended by the Supreme Court of Tennessee on May 29, 2019, after pleading guilty to a serious crime. On April 22, 2019, Mr. Garton pled guilty to Wire Fraud in violation 18 USC §1343, Aggravated Identity Theft in violation of 18 USC §1028A, and Tax Fraud in violation of 26 USC §7206(1). The Board of Professional Responsibility instituted a formal proceeding to determine the extent of final discipline to be imposed.

In the first case, Mr. Garton knowingly and intentionally misappropriated funds held in trust for a minor child. In the second case, Mr. Garton knowingly, intentionally and systematically misappropriated funds in a probate matter and converted the funds to his personal or business use.

Mr. Garton violated Tennessee Rules of Professional Conduct 1.3 (Diligence), 1.4 (Communication), 1.5 (Fees), 1.7 (Conflict of Interest), 1.15 (Safekeeping Property), 1.16 (Declining and Terminating Representation), 3.3 (Candor toward the Tribunal), 4.1 (Truthfulness and Candor in Statements to Others), 8.1 (Bar Admission and Disciplinary Matters), and 8.4 (a), (b), (c), and (d) (Misconduct).

Mr. Garton must comply with the requirements of Tennessee Supreme Court Rule 9, Section 28, regarding the obligations and responsibilities of disbarred attorneys.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

09/10/2020

Clerk of the
Appellate Courts

IN RE: JACKIE LYNN GARTON, BPR #016106
An Attorney Licensed to Practice Law in Tennessee
(Dickson County)

No. M2020-01162-SC-BAR-BP
BOPR Nos. 2018-2864-6-AW, 2019-3004-6-AW-22.3

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Jackie Lynn Garton on May 17, 2018; upon a Petition for Final Discipline filed against Mr. Garton on June 4, 2019; upon the Board's Motion for Default Judgment and That Charges in Petition for Discipline Be Deemed Admitted filed August 21, 2018; upon the Order for Default Judgment entered September 11, 2018; upon the Executive Secretary of the Board forwarding a copy of the Order for Default Judgment to Mr. Garton on September 11, 2018; upon the Board's Supplemental Petition for Discipline against Mr. Garton filed November 21, 2018; upon the Board's Motion to Consolidate Docket No. 2019-3004-6-AW-22.3 filed August 30, 2019; upon the Board's Order to Consolidate Docket No. 2019-3044-6-AW-22.3 entered September 4, 2019; upon the Board's Motion for Default Judgment and That Charges in the Supplemental Petition for Discipline Be Deemed Admitted filed November 15, 2019; upon the Order for Default Judgment entered December 4, 2019; upon the Executive Secretary of the Board serving a copy of the Order for Default Judgment on Mr. Garton on December 4, 2019; upon the Order for Default Judgment entered February 5, 2020; upon the Executive Secretary of the Board serving a copy of the Order for Default Judgment on Mr. Garton on February 5, 2020; upon the Hearing Panel's Findings of Facts and Conclusions of Law and Order on Discipline entered April 7, 2020 and the Executive Secretary of the Board serving the same upon Mr. Garton on April 7, 2020; upon the Board's Application for Assessment of Costs filed April 22, 2020; upon Findings and Judgment for Assessment of Costs entered May 14, 2020 and the Executive Secretary of the Board serving the same on Mr. Garton on May 14, 2020; upon the Board of Professional Responsibility's consideration and approval of the Findings of Facts and Conclusions of Law and Order on Discipline of the Hearing Panel on April 7, 2020; upon consideration and approval by the Board on June 12, 2020; upon the period for appeal expiring with no appeal taken; 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 Findings of Fact and Conclusions of Law as the Court's Order.

On May 29, 2019, Mr. Garton was suspended by this Court pending further orders of the Court pursuant to Tenn. Sup. Ct. R. 9, § 22.3 (Case No. M2019-00938-SC-BPR-BP) and has not been granted reinstatement to the practice of law.

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

- (1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.1, Jackie Lynn Garton is permanently disbarred from the practice of law in Tennessee.
- (2) Pursuant to Tenn. Sup. Ct. R. 9, §12.7, Mr. Garton shall be required to make restitution to the following individuals. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection ("TLFCP"), Mr. Garton will be responsible for reimbursement to the TLFCP in the same amount:
 - a. Carina Larkins Trust - \$1,199,721.30
 - b. The Estate of Steven Browne - \$41,063.42
 - c. The Estate of Joe B. Allen - \$25,083.56
 - d. The Estate of Franklin Reynolds - \$7,924.84
 - e. The Trust of Bridget Nicole Smith - \$20,706.63
 - f. Betty Jo Daughtery - \$15,415.87
 - g. Regen Law Firm Trust Account - \$55,287.80
- (3) The temporary suspension entered in this matter by the Court on May 29, 2019 in M2019-00938-SC-BAR-BP, pursuant to Tenn. Sup. Ct. R. 9, § 22.3 is hereby dissolved.
- (4) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.
- (5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Garton shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$742.35 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) Mr. Garton shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 28 regarding the obligations and responsibilities of disbarred attorneys.
- (7) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM