



**IN DISCIPLINARY DISTRICT I
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

In Re: Charles Gordon
An Attorney Licensed To
Practice Law in Tennessee
(Powell, Tennessee)

B.O.P.R. File Nos: 23567-2-TH

PUBLIC CENSURE

The above complaint was filed against Charles Gordon of Powell, Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered these matters and determined that a Public Censure was appropriate.

Lena Ware Faith, the mother of the Complainant in this matter died on Sept. 21, 1999. She left a one page will leaving her property to her two children and stepdaughter. All three were in agreement with the distribution. The estate was valued at approximately \$64,000. It consisted of 4 assets - a checking account, 2 ED's, and a Paine Webber Account. There was only one claim on the estate. There was sufficient ready assets to pay this claim (to a physician), but Respondent failed to pay it. Eventually the claim was turned over to a "bill

collector." On May 2000 Respondent told one daughter he was having trouble with the Paine Webber Account and she identified a specific person at Paine Webber who could clear the matter up. Respondent states that Paine Webber said they sent him a check which he never received and that he had to get them to issue a new check. On July 16, 2000 the TN Dept. Of Revenue sent Respondent notice that no taxes were due. Over 2000-2001 the heirs wrote several letters to Respondent asking him to close the estate. He responded that the estate would be shortly closed. The complaint in this matter was filed on Feb. 12, 2001, but he still did not close the estate for 5 months after the complaint was filed. Respondent charged the estate a fee of \$2,325.

Mr. Gordon has thereby violated DR 6-101(A)(3). By the aforementioned facts, Charles Gordon has violated the Code of Professional Responsibility and should be censured for this violations.

This the 14th day of ~~August~~ ^{October}, 2002.



Charles Carpenter, Chair
Board of the Professional Responsibility