



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

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RELEASE OF INFORMATION
RE: DONALD BRENT GRAY, BPR #27263
CONTACT: KEVIN D. BALKWILL
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

January 24, 2019

CAMPBELL COUNTY LAWYER CENSURED

On January 23, 2019, Donald Brent Gray, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Gray was appointed to represent an indigent criminal client in General Sessions Court and was required to represent the client throughout the proceedings, including any appeals, until the case had been concluded or he was granted permission to withdraw by the court. After the conclusion of the General Sessions case, the client was indicted and Mr. Gray improperly advised the client that he could no longer represent him unless a \$10,000.00 retainer fee was paid. The client paid \$2,750.00 toward the fee and no written fee agreement was memorialized nor did Mr. Gray deposit the funds into his trust account until the fee had been earned. Mr. Gray also failed to inform the Circuit Court that he had been appointed to represent the client in that court.

By these acts, Donald Brent Gray has violated Rule of Professional Conduct 1.4 (communication), 1.5 (fees), 1.15 (safekeeping property), 1.16(c) (terminating representation), 3.3 (candor toward tribunal), and 8.4(a)(c)(d) (misconduct) and is hereby Publicly Censured for these violations. As a condition of the Public Censure, Mr. Gray shall be required to reimburse \$2,750.00 in fees directly to John Stephens at the rate of \$150.00 per month beginning February 1, 2019.

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

Gray 54102-2 rel.doc

IN DISCIPLINARY DISTRICT II
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: Donald Brent Gray, Respondent,
BPR# 27263, an attorney licensed
to practice law in Tennessee.
(Campbell County)

FILE NO. 54102-2-KB

PUBLIC CENSURE

The above complaint was filed against Donald Brent Gray, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered these matters at its meeting on December 14, 2018.

Mr. Gray was appointed to represent an indigent criminal client in General Sessions Court and was required to represent the client throughout the proceedings, including any appeals, until the case had been concluded or he was granted permission to withdraw by the court. *See* Tenn. Sup. Ct. R. 13(e)(5). After the conclusion of the General Sessions case, the client was indicted and Mr. Gray improperly advised the client that he could no longer represent him unless a \$10,000.00 retainer fee was paid. The client paid \$2,750.00 toward the fee and no written fee agreement was memorialized nor did Mr. Gray deposit the funds into his trust account until the fee had been earned. Mr. Gray also failed to inform the Circuit Court that he had been appointed to represent the client in the lower court.

By the aforementioned acts, Donald Brent Gray, has violated Rule of Professional Conduct 1.4 (communication), 1.5 (fees), 1.15 (safekeeping property), 1.16(c) (terminating representation), 3.3 (candor toward tribunal), and 8.4(a)(c)(d) (misconduct) and is hereby Publicly Censured for

these violations. As a condition of the Public Censure, Mr. Gray shall be required to reimburse \$2,750.00 in fees directly to John Stephens at the rate of \$150.00 per month beginning February 1, 2019.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY

Floyd Flippin
Floyd Flippin Chair

January 23, 2019
Date