

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 Gray improperly advised the client that he could no longer represent him unless a \$10,000.00 retainer fee was paid.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.

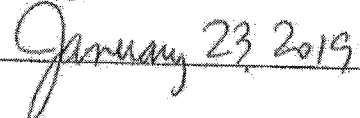
By the aforementioned acts, Donald Brent Gray, has violated Rule of Professional Conduct 1.4 (communication), 1.5 (fees), 1.15 (safekeeping property), 1.16(c) (terminating representation), 3.3 (candor toward tribunal), and 8.4(a)(c)(d) (misconduct) and is hereby Publicly Censured for

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 Chair



Date