



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

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RELEASE OF INFORMATION
RE: WESLEY LYNN HATMAKER, BPR #14880
CONTACT: WILLIAM C. MOODY
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 4, 2016

CAMPBELL COUNTY LAWYER DISBARRED

On October 3, 2016, Wesley Lynn Hatmaker, of Jacksboro, Tennessee, was disbarred from the practice of law by Order of the Tennessee Supreme Court. In addition, Mr. Hatmaker must make restitution as a condition of his reinstatement. The order is effective October 3, 2016. Mr. Hatmaker must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement.

Mr. Hatmaker commingled earned fees in his trust account, utilized his trust account for personal purposes, misappropriated client funds from his trust account, failed to adequately monitor his trust account, allowed his wife to write checks misappropriating client funds from the trust account, made misrepresentations to a judge in order to conceal the misappropriations, and failed to communicate with, and diligently represent, a client.

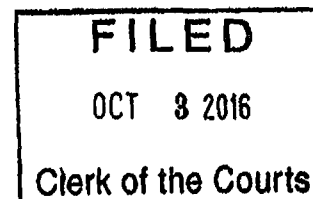
Mr. Hatmaker's ethical misconduct violates Rules of Professional Conduct 1.1, Competence; 1.3, Diligence; 1.4, Communication; 1.15(a), Safekeeping Property and Funds; 3.2, Expediting Litigation; and 8.4(a), (b) and (c), Misconduct.

Mr. Hatmaker must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30, regarding the obligations and responsibilities of suspended attorneys.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: **WESLEY LYNN HATMAKER, BPR #14880**
An Attorney Licensed to Practice Law in Tennessee
(Campbell County)

No. M2016-01992-SC-BAR-BP
BOPR No. 2015-2490-2-WM



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Wesley Lynn Hatmaker on September 17, 2015; upon Answer to Petition for Discipline filed by Mr. Hatmaker on October 29, 2015; upon an Amended Petition for Discipline filed on November 3, 2015; upon a Supplemental Petition for Discipline filed on March 30, 2016; upon a Motion for Default Judgment and that Charges in Petition for Discipline Be Deemed Admitted filed by the Board on May 31, 2016; upon entry of an Order for Default Judgment on June 13, 2016; upon a hearing on June 21, 2016; upon the Findings of Fact, Conclusions of Law and Judgment entered on July 5, 2016; upon service of the Findings of Fact, Conclusions of Law and Judgment upon Mr. Hatmaker by the Executive Secretary of the Board on July 6, 2016; upon the Board of Professional Responsibility's Application for Assessment of Costs filed on July 7, 2016; upon the Findings and Judgment for Assessment of Costs entered on July 25, 2016; upon service of the Findings and Judgment for Assessment of Costs upon Mr. Hatmaker by the Executive Secretary of the Board on July 25, 2016; upon consideration and approval by the Board on September 9, 2016; upon expiration of the appeal period 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 Judgment recommending a disbarment.

On January 29, 2016, Mr. Hatmaker was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2016-00191-SC-BAR-BP). To date, Mr. Hatmaker has not requested, nor been granted, reinstatement.

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

- (1) Mr. Hatmaker is disbarred, pursuant to Tenn. Sup. Ct. R. 9, § 12.1.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7, and as a condition precedent to any reinstatement, Mr. Hatmaker shall make restitution to the following individuals and shall furnish to the Board of Professional Responsibility proof of restitution. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Hatmaker shall reimburse TLFCP in the same amount:

(a) Blankenship Estate - \$59,438.22

(b) Faile Estate - \$20,731.82

(c) Coffey Estate - \$50,000.00

(3) Prior to seeking reinstatement, Mr. Hatmaker must meet all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this disbarment until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(4) Mr. Hatmaker shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 28 regarding the obligations and responsibilities of disbarred attorneys.

(5) Mr. Hatmaker shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 30.4(d) regarding the procedure for reinstatement.

(6) Further, the Order of Temporary Suspension entered on January 29, 2016, in Case No. M2016-00191-SC-BAR-BP, is hereby dissolved.

(7) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(8) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Hatmaker shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,578.79, 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.

(9) 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