



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

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RELEASE OF INFORMATION
RE: WESLEY LYNN HATMAKER, BPR #014880
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

May 22, 2018

CAMPBELL COUNTY LAWYER DISBARRED

On May 22, 2018, Wesley Lynn Hatmaker, of Jacksboro, Tennessee, was disbarred from the practice of law by Order of the Tennessee Supreme Court. As a condition of reinstatement, Mr. Hatmaker must make restitution to one former client. The disbarment begins on May 22, 2018. 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.

In his representation of one client, Mr. Hatmaker did not provide his client with a written fee agreement, failed to perform the work for which he was retained, abandoned his representation, failed to properly terminate the relationship, and failed to refund his client for the work he did not perform. In his representation of a second client, Mr. Hatmaker took no further action in the case after receiving payment for his representation. Mr. Hatmaker continued to invoice his client and told his client everything was fine in the case; however, when the Court placed the case on the trial calendar six years later, the client obtained new counsel who determined that Mr. Hatmaker had done nothing on behalf of this client. In both cases, Mr. Hatmaker failed to inform his clients that he had been suspended from the practice of law in January 2016.

Mr. Hatmaker's ethical misconduct violates Rules of Professional Conduct 1.3, Diligence; 1.4, Communication; 1.16(d), Terminating Representation; 3.2, Expediting Litigation; 8.1(b), Disciplinary Matters; and 8.4 (a) (c) (d) and (g), Misconduct.

Mr. Hatmaker was previously disbarred by the Tennessee Supreme Court on October 3, 2016, and August 10, 2017, and remains disbarred.

Mr. Hatmaker must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30, regarding the obligations and responsibilities of disbarred 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. M2018-00921-SC-BAR-BP
BOPR No. 2017-2738-2-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Wesley Lynn Hatmaker on June 29, 2017; upon a Motion for Default Judgment and that Charges in Petition for Discipline be Deemed Admitted filed October 25, 2017; upon an Order for Default Judgment entered November 13, 2017; upon a hearing on December 20, 2017; upon the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel entered January 26, 2018, upon service of the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel on Mr. Hatmaker by the Executive Secretary of the Board on January 26, 2018; upon the Board's Application for Assessment of Costs filed January 29, 2018; upon the Hearing Panel's Findings and Judgment on Assessment of Costs entered February 19, 2018; upon service of the Hearing Panel's Findings and Judgment on Assessment of Costs upon Mr. Hatmaker on February 20, 2018; upon consideration and approval by the Board on March 9, 2018; 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 disbarment as the Court's Order.

On October 3, 2016, Mr. Hatmaker was disbarred by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2016-01992-SC-BAR-BP). On August 10, 2017, Mr. Hatmaker was disbarred by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case Nos. M2017-01583-SC-BAR-BP and M2017-01585-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) Wesley Lynn 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 individual 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) Denford Phillips - \$1,200.00

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

(7) 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 \$414.56 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.

(8) 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