



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

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RELEASE OF INFORMATION
RE: MARK WESLEY HENDERSON, BPR# 11525
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

April 21, 2011

WILSON COUNTY LAWYER SUSPENDED

On April 15, 2011, Mark Wesley Henderson of Mount Juliet, Tennessee, was suspended from the practice of law for two (2) years by the Tennessee Supreme Court and ordered to pay restitution to a former client. Mr. Henderson is already serving a six (6) month suspension from a prior disciplinary matter.

On January 19, 2010, a Petition for Discipline was filed against Mr. Henderson containing one complaint of disciplinary misconduct. A Hearing Panel determined that Mr. Henderson failed to file an answer to a countersuit, failed to respond to discovery requests despite promising opposing counsel that the responses had been mailed, and failed to properly communicate with his client about the status of her case and her requests for billing statements. Further, when the client terminated Mr. Henderson's services, he did not properly withdraw from the case.

Mr. Henderson's actions violate the following Rules of Professional Conduct: 1.1, Competence; 1.3, Diligence; 1.4, Communication; 1.5, Fees; 8.1, Bar Admission and Disciplinary Matters; and 8.4, Misconduct.

Mr. Henderson must comply with Sections 18 and 19 of Rule 9, Rules of the Supreme Court, regarding the obligations and responsibilities of suspended attorneys.

Henderson 1877-4 rel.doc

PLEASE NOTE

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

2011 APR 15 PM 2:32

IN RE: MARK WESLEY HENDERSON, BPR #11525
An Attorney Licensed to Practice Law in Tennessee
(Wilson County)

APPELLATE COURT CLERK
NASHVILLE

NO. M2011-008485C-RPO-BP
BOPR No. 2010-1877-4-KH

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed on January 19, 2010 by the Board of Professional Responsibility ("Board") against Mark Wesley Henderson ("Respondent"); upon a Response filed by Respondent on February 12, 2010; upon a hearing held October 25, 2010; upon Findings of Fact, Conclusions of Law and Judgment entered by the Hearing Panel on January 31, 2011; upon service of the Judgment on Respondent sent by the Board on January 31, 2011; upon expiration of the time to appeal with no appeal taken; upon consideration and approval by the Board on March 11, 2011; and upon the entire record in this cause.

From all of which the Court approves the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel and adopts the judgment of the Hearing Panel as the Court's Order.

By Order entered January 12, 2011, in Case No. M2010-01177-SC-R3-BP, Respondent was suspended from the practice of law for six (6) months and for an indefinite period thereafter until Respondent demonstrates that he has made full restitution as ordered.

It is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. Respondent, Mark Wesley Henderson, shall be and is hereby suspended from the practice of law for two (2) years pursuant to Supreme Court Rule 9, Section 4.2.
2. Pursuant to Supreme Court Rule 9, Section 4.7, Respondent shall pay restitution to Cassie King in the amount of \$950.00. Payment of restitution shall be a condition precedent to reinstatement.

3. This suspension shall become effective ten (10) days after the filing of this Order.

4. By Order entered January 12, 2011, in Case No. M2010-01177-SC-R3-BP, Respondent was suspended from the practice of law for six (6) months and for an indefinite period thereafter until Respondent demonstrates that he has made full restitution as ordered. The entry of this Order does not affect the continuing validity of the prior disciplinary suspension.

5. Respondent shall comply in all aspects with Supreme Court Rule 9, Sections 18 and 19 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

6. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,721.50 and in addition, 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.

7. The Board shall cause notice of this suspension to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK
CHIEF JUSTICE

I, Michael W. Catalano, Clerk, hereby certify that this is a true and exact copy of the original

Order
filed in the cause.
This 15 day of April, 2011
CLERK OF COURT

By: Michael W. Catalano D.C.