

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
07/24/2019
Clerk of the
Appellate Courts

IN RE: ARTHUR WAYNE HENRY, BPR #009484
An Attorney Licensed to Practice Law in Tennessee
(Loudon County)

No. M2019-01253-SC-BAR-BP
BOPR No. 2018-2943-2-WM

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Arthur Wayne Henry on November 29, 2018; upon a Motion for Default Judgment and that Charges in Petition for Discipline Be Deemed Admitted filed by the Board on January 11, 2019; upon entry of an Order for Default Judgment on February 14, 2019; upon a Supplemental Petition for Discipline filed on January 23, 2019; upon a Motion for Default Judgment and that Charges in Supplemental Petition for Discipline Be Deemed Admitted filed by the Board on February 14, 2019; upon entry of an Order for Default Judgment on February 25, 2019; upon a Second Supplemental Petition for Discipline filed on February 26, 2019; upon a hearing on April 15, 2019; upon the Findings of Fact, Conclusions of Law and Judgment entered on April 18, 2019; upon service of the Findings of Fact, Conclusions of Law and Judgment upon Mr. Henry by the Executive Secretary of the Board on April 18, 2019; upon the Board of Professional Responsibility's Application for Assessment of Costs filed on April 22, 2019; upon the Findings and Judgment for Assessment of Costs entered on May 9, 2019; upon service of the Findings and Judgment for Assessment of Costs upon Mr. Henry by the Executive Secretary of the Board on May 9, 2019; upon consideration and approval by the Board on June 14, 2019; 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.

On April 26, 2018, Mr. Henry was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2018-00757-SC-BAR-BP). On April 30, 2018, Mr. Henry was suspended by this Court for one year and one day pursuant to Tenn. Sup. Ct. R. 9, § 12.2 (Case No. M2018-00764-SC-BAR-BP). To date, Mr. Henry has not requested, nor been granted, reinstatement from either suspension.

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

(1) Mr. Henry 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. Henry 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. Henry shall reimburse TLFCP in the same amount:

- (a) Brandon Noe - \$2,000.00
- (b) Danny Leonard - \$46,663.00
- (c) Patricia Wilson - \$1,000.00
- (d) Susie Moss-Adkins - \$1,625.00
- (e) Michael Thompson - \$2,000.00
- (f) Robert Morris - \$2,000.00

(3) Prior to seeking reinstatement, Mr. Henry 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. Henry shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 28, regarding the obligations and responsibilities of disbarred attorneys.

(5) Mr. Henry 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 April 26, 2018, in Case No. M2018-00757-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. Henry shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,188.67 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