

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

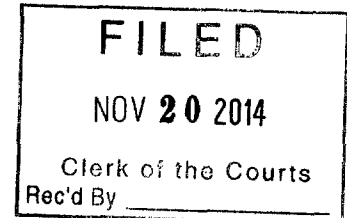
**IN RE: JOHN EDWARD HERBISON, BPR #12659**

An Attorney Licensed to Practice Law in Tennessee  
(Montgomery County)

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**No. M2014-02193-SC-BAR-BP**  
BOPR No. 2013-2186-6-AW

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against John Edward Herbison on February 11, 2013; upon Respondent's Answer to Petition for Discipline filed by Mr. Herbison on April 1, 2013; upon Supplemental Petition for Discipline filed December 2, 2013; upon Respondent's Answer to Supplemental Petition for Discipline filed January 21, 2014; upon Offer of Discipline by Consent filed by Mr. Herbison on July 14, 2014; upon an Order Recommending Approval of Offer of Discipline by Consent entered on July 17, 2014; upon consideration and approval by the Board on September 19, 2014; and upon the entire record in this cause.<sup>1</sup>

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order Recommending Approval of Offer of Discipline by Consent as the Court's Order.

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

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 4.2 (2006), John Edward Herbison is suspended from the practice of law for eighteen (18) months. Pursuant to Tenn. Sup. Ct. R. 9, § 8.5 (2006), Mr. Herbison shall serve the first sixty (60) days on active suspension and the remaining sixteen (16) months on probation subject to the condition that he shall not, during the period of probation, incur any new complaints of misconduct that relate to conduct occurring during the period of suspension and probation and result in a recommendation by the Board that discipline be imposed. In the event Mr. Herbison violates or otherwise fails to meet said condition of probation, Disciplinary Counsel shall be authorized to file a petition to revoke Mr. Herbison's probation, and upon a finding

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<sup>1</sup>This case was initiated prior to January 1, 2014, and is governed by Tenn. Sup. Ct. R. 9 (2006) except as otherwise noted.

that revocation is warranted, Mr. Herbison shall serve the full deferred period of suspension.

(2) Mr. Herbison shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 (2006) and § 30.4(c) (2014) regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(3) Mr. Herbison must meet all CLE requirements and all registration requirements prior to reinstatement.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 18.5 (2006), this Order shall be effective ten (10) days after the date of entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3 (2006), Mr. Herbison shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$3,880.18 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.

(6) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10 (2006).

PER CURIAM