



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
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BOARD OF PROFESSIONAL RESPONSIBILITY
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May 3, 2006

NASHVILLE ATTORNEY CENSURED

On April 21, 2006, John E. Herbison of Nashville, Tennessee received a Public Censure from the Board of Professional Responsibility. Herbison was given notice of the Censure and did not request a hearing. Herbison was appointed to represent a client in September, 2000. The client complains that Herbison failed to return his calls and neglected his case. The Complainant further stated that Herbison advised him that he would have the client's brief filed by the end of September, 2005, but as of March 1, 2006, Herbison still had not filed the client's brief. In mitigation, Herbison states he has had family medical problems and an inordinate amount of Herbison's time has been required by one client. Herbison's neglect and failure to communicate with his client violates Rules 1.3; 1.4 and 8.4 of the Tennessee Rules of Professional Conduct and for these actions the Board publicly censured Herbison. The Censure declares Herbison's actions to be improper ethical conduct but does not limit his right to practice law.

Herbison 28725c-5 rel.doc

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