



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

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RELEASE OF INFORMATION
JOHN ROBERT HERSHBERGER, BPR #21519
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BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 27, 2012

SHELBY COUNTY LAWYER CENSURED

On July 27, 2012, John Robert Hershberger, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

On November 10, 2011, in representing himself in a matter, Mr. Hershberger presented the Court with a Petition for Scire Facias and Citation for Contempt. Mr. Hershberger requested the Court to sign the FIAT and set the matter for hearing. The judge presiding over the case refused to sign the FIAT because Mr. Hershberger was represented by counsel. Mr. Hershberger researched the issue and decided that the judge's conclusion was incorrect. Mr. Hershberger then presented the FIAT to a different judge. Mr. Hershberger did not inform the new judge that the judge presiding over his case had previously refused to sign the FIAT.

By the aforementioned act, John Robert Hershberger has violated Tennessee Supreme Court Rule 8, Rules of Professional Conduct 3.3(a)(1)(candor toward tribunal) and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Hershberger 34750-9 rel.doc

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IN DISCIPLINARY DISTRICT IX
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

BOARD OF PROFESSIONAL
RESPONSIBILITY

(RW) EXEC. SEC.

IN RE: JOHN ROBERT HERSHBERGER, BPR NO. 21519 FILE NO. 34750-9-BG
Respondent, an attorney licensed
to practice law in Tennessee
(Shelby County)

PUBLIC CENSURE

The above complaint was filed against John Robert Hershberger, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered this matter at its meeting on June 22, 2012.

On November 10, 2011, in representing himself in a matter pending before Division IX of the Shelby County Circuit Courts, Respondent requested a judge in Division IV to sign a FIAT. In making this request, Respondent failed to inform the Court that the judge in Division IX had previously refused to sign the FIAT.

By the aforementioned act, John Robert Hershberger has violated Rule of Professional Conduct 3.3(a)(1) (candor toward tribunal) and is hereby Publicly Censured for this violation.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY

Lela Hollabaugh

Lela Hollabaugh, Chair

July 27, 2012

Date