



**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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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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