

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**FILED**  
08/17/2023  
Clerk of the  
Appellate Courts

**In Re: NEWTON S. HOLIDAY, III, BPR #012990**  
An Attorney Licensed to Practice Law in Tennessee  
(Davidson County)

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**No. M2023-01122-SC-BAR-BP**  
BOPR No. 2021-3167-5-JM

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against Respondent, Newton S. Holiday, III, on May 19, 2021; upon an Answer to the Petition for Discipline filed by Mr. Holiday's counsel, Dana Nero, on June 25, 2021; upon the Board's Motion for Summary Judgment and Separate Concise Statement of Material Facts as to Which There is No Genuine Issue for Trial filed on November 23, 2021; upon entry of an Order Granting Summary Judgment on February 15, 2022; upon service of the Order Granting Summary Judgment upon Mr. Holiday's counsel by the Executive Secretary of the Board on February 15, 2022; upon the Board's Motion to Set In-Person Hearing on Sanctions filed on March 22, 2022; upon a final hearing on sanctions on September 6, 2022; upon the Findings of Fact and Conclusions of Law entered on March 16, 2023; upon service of the Findings of Fact and Conclusions of Law upon Mr. Holiday by the Executive Secretary of the Board on March 16, 2023; upon the Board of Professional Responsibility's Application for Assessment of Costs filed on March 30, 2023; upon the Findings and Judgment for Assessment of Costs filed on March 31, 2023; upon service of the Findings and Judgment for Assessment of Costs by the Executive Secretary of the Board upon Mr. Holiday on March 31, 2023; upon the 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 Findings of Fact and Conclusions of Law and Judgment as the Court's Order.

On July 20, 2022, Mr. Holiday was administratively suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 10 (No. ADM2022 – 00002). To date, Mr. Holiday has not requested, nor been granted, reinstatement.

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

(1) Mr. Holiday is suspended for two (2) years with six (6) months served as an active suspension and the remainder on probation, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, the grant of which is conditioned upon:

- (a) Mr. Holiday paying \$9,500.00 in restitution to Ms. Lanetta Carson-Bell and/or the Lawyer's Fund for Client Protection for any sums it has paid or may pay in the future on Ms. Carson-Bell's claim before his license may be reinstated;
- (b) Mr. Holiday engaging a practice monitor who has experience in the field of plaintiffs' personal injury practice, who will meet at least bi-monthly with Mr. Holiday, and who will submit monthly reports to the Board describing Mr. Holiday's progress in meeting deadlines and consulting with clients.

(2) Prior to seeking reinstatement, Mr. Holiday must have met all CLE requirements and have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this order until the date of reinstatement.

(3) Additionally, Mr. Holiday shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective immediately upon entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3 (d), Mr. Holiday shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,170.60, which includes the \$100.00 filing fee the Board of Professional Responsibility paid to the Clerk of this Court to initiate this proceeding and shall also pay to the Clerk of this Court the costs incurred herein, if any, 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, § 28.11.

PER CURIAM