



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

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**RELEASE OF INFORMATION**  
**RE: JOHN JAY HOOKER, BPR #005118**  
**CONTACT: SANDY GARRETT**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

January 12, 2010

**NASHVILLE LAWYER SUSPENDED**

On January 7, 2010, the Tennessee Supreme Court suspended John Jay Hooker, of Nashville, Tennessee, for thirty (30) days. The Board of Professional Responsibility filed a Petition for Discipline against Mr. Hooker pursuant to Rule 9, Rules of the Supreme Court of Tennessee. After a hearing, a Hearing Panel determined that Mr. Hooker had filed frivolous litigation and made statements with reckless disregard of their truth or falsity concerning judges. The Hearing Panel's Judgment recommended Mr. Hooker be publicly censured. Both the Board of Professional Responsibility and Mr. Hooker appealed the Hearing Panel's Judgment. A special Judge appointed by the Tennessee Supreme Court heard the appeal and entered an Order suspending Mr. Hooker for thirty (30) days. Mr. Hooker appealed to the Tennessee Supreme Court. By Order filed January 7, 2010, the Supreme Court dismissed Mr. Hooker's appeal based upon his failure to file an appeal bond or pay the litigation tax within the extended time allowed. The Supreme Court then entered an Order suspending Mr. Hooker for thirty (30) days.

Mr. Hooker's actions violated the following Rules of Professional Conduct: 3.1 (meritorious claims); 8.2 (prohibition against false statements concerning the qualifications and integrity of a Judge); and 8.4 (misconduct). Mr. Hooker is ordered to pay the Board's costs and must comply with Section 18 of Rule 9, Rules of the Supreme Court regarding obligations and responsibilities of suspended attorneys.

Hooker 1519-5 rel.doc

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IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE: JOHN JAY HOOKER, BPR # 05118**  
An Attorney Licensed to Practice Law in Tennessee  
(Davidson County)

**FILED**  
JAN 07 2010  
Clerk of the Courts

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No. M2009-01498-SC-OT-CV – Filed: January 7, 2010

BOPR DOCKET NO. 2005P-1519-5-SG

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon the Petition for Discipline filed on June 23, 2005; upon the Answer to the Petition for Discipline filed by Respondent; upon a Hearing Panel's Judgment filed December 17, 2007; upon Chancery Court Orders entered October 21, 2008, and April 13, 2009; and upon the entire record in this cause. On May 12, 2009, Respondent filed a Notice of Appeal with the trial court clerk. By order entered December 10, 2009, this Court recalled the mandate that had mistakenly been issued in this case and permitted Respondent to proceed with his appeal, conditioned upon his filing, within fifteen (15) days of the date of the Order, an appeal bond with the trial court clerk and litigation tax of \$13.75.

Since the entry of the December 10 order, Respondent has neither filed an appeal bond nor paid the litigation tax of \$13.75. Instead, on December 28, 2009, Respondent filed a "Motion in Response to the Per Curiam Order of December 10, 2009", requesting that the case be dismissed based on his claim that all the members of this Court are unconstitutionally seated and therefore do not have jurisdiction to decide his disciplinary case. This request is identical in substance with the "Motion to Recuse, Affidavit with Notice of Appeal Attached Hereto" filed by Respondent on July 17, 2009, and denied by this Court on August 5, 2009. In the alternative, in this pleading Respondent asks us to enter the Order of Enforcement previously submitted by the BPR.

Based on Respondent's failure to file an appeal bond or pay litigation tax within the extended time period allowed him, no appeal has been perfected in this case. Thus, the matter is before the Court under the provisions of Supreme Court Rule 9, Section 8.4, for enforcement.

From all of which the Court accepts the recommendation of the Hearing Panel and Chancery Court, and concludes that the imposition of a thirty (30) day suspension is appropriate.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. The Respondent, John Jay Hooker, is hereby suspended from the practice of law for thirty (30) days pursuant to Supreme Court Rule 9, Section 4.2.

2. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$174.00, and in addition, shall pay to the Clerk of this Court the costs incurred herein, for all of which execution may issue if necessary.

3. The Board of Professional Responsibility shall cause notice of this suspension to be published as required by Supreme Court Rule 9, Section 18.10.

4. Respondent shall comply in all respects with Supreme Court Rule 9, Section 18, regarding the obligations and responsibilities of suspended lawyers.

5. Pursuant to Supreme Court Rule 9, Section 18.5, this order and the suspension imposed shall be effective ten (10) days after the date of its entry.

6. The Motion in Response is denied.

PER CURIAM

I, Michael W. Catalano, Clerk, hereby certify that  
this is a true and exact copy of the original

filed in the cause.

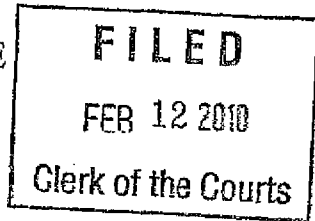
This 17<sup>th</sup> day of Jan., 2010

CLERK OF COURT

By: [Signature] D.G.

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

IN RE: JOHN JAY HOOKER, BPR # 05118  
An Attorney Licensed to Practice Law in Tennessee  
(Davidson County)



No. M2009-01498-SC-OT-CV

BOPR DOCKET NO. 2005P-1519-5-SG

**ORDER OF ENFORCEMENT**

On January 7, 2010, this Court entered an Order of Enforcement based on the information submitted by the Board of Professional Responsibility, that Order required Respondent to pay expenses and costs in the amount of \$174.00.

On January 26, 2010, the Board filed a "Response Motion to Alter or Amend Order of Enforcement", attaching a revised and complete cost bill and requesting that the costs and expenses assessed be amended to total \$4,701.31. On February 2, 2010, the Board filed an amended proposed order and invoice reflecting certain payments made by Respondent and showing a total balance due of \$4,527.31. No response has been filed by Respondent. The Court therefore concludes that the Board's Motion to Alter or Amend should be granted.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. The Order of Enforcement filed January 7, 2010 is amended to reflect that pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the remaining expenses and costs of this matter in the amount of \$4,527.31, and in addition, shall pay to the Clerk of this Court the costs incurred herein, for all of which execution may issue if necessary.

2. All other provisions of the January 7, 2010 Order of Enforcement remain in full force and effect.

FOR THE COURT:

*Cornelia A. Clark*

CORNELIA A. CLARK  
JUSTICE

Michael W. Catalano, Clerk, hereby certify that  
this is a true and exact copy of the original

Filed in the cause.

This 12 day of Feb., 2010

CLERK OF COURT

By: *[Signature]*

*[Signature]* D.C.