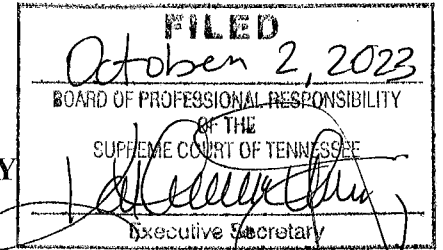


**IN DISCIPLINARY DISTRICT VII
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**



**IN RE: ANGELA JOY HOPSON
BPR No. 22500, Respondent,
an Attorney Licensed to Practice
Law in Tennessee
(Madison County)**

DOCKET NO. 2019-2989-7-AJ

FINAL ORDER AND JUDGMENT

Pursuant to the Order Granting Motion to Withdraw and Setting Final Disciplinary Hearing (entered 5/11/23) and the Notice of Hearing (issued 6/26/23), this matter came before the Hearing Panel on August 15, 2023—via Zoom video conference—for a final hearing on the Petition for Discipline (filed 4/8/19), the Supplemental Petition for Discipline (filed 8/26/19), and the Second Supplemental Petition for Discipline (filed 10/9/19). Participating at this hearing were William Jay Reynolds (Hearing Panel Chair), Richard Lowell Finney, III (Hearing Panel Member), and Candace Leanne Thorne (Hearing Panel Member), and Disciplinary Counsel Andrew B. Campbell. Notwithstanding clear notice given to Ms. Hopson by the May 11th Order and the June 26th Notice, and (as discussed below) her own personal awareness of the hearing, Respondent Hopson did not attend, or participate in, the hearing. Indeed, although the final hearing convened at 10:00 AM (CT), the Hearing Panel and Disciplinary Counsel waited 30 minutes before opening the proceeding on the record. The proceeding concluded at 12:51 PM (CT), and at no time did Respondent Hopson attempt to log in to the Zoom video conference, or attempt to contact the Executive Secretary, Disciplinary Counsel, or the Hearing Panel members. This is not the first occasion that Respondent has failed to attend a hearing in this matter. *See* Order Denying Motion to Set Aside Default Judgment (entered 4/27/22) at pp. 7-9, ¶¶ 6-12.

The hearing commenced at 10:31 AM. At which time, Disciplinary Counsel proffered—and the Hearing Panel admitted—the following exhibits into the evidentiary record:

Exhibit 1 -- the Petition for Discipline;

Exhibit 2 -- the Supplemental Petition for Discipline;

Exhibit 3 -- the Second Supplemental Petition for Discipline;

Exhibit 4 -- a Public Censure upon Ms. Hopson dated October 19, 2009;

Exhibit 5 -- an Order of Enforcement against Ms. Hopson entered on April 7, 2014;

Exhibit 6 -- an Order of Enforcement against Ms. Hopson entered on September 13, 2018;

Exhibit 7 -- a guilty plea/Order of Deferral entered into by Ms. Hopson in *State v. Hopson*, 18-928 (Madison Cnty. Crim. Ct.);

Exhibit 8 -- a second guilty plea/Order of Deferral entered into by Ms. Hopson in *State v. Hopson*, 18-928 (Madison Cnty. Crim. Ct.); and

Exhibit 9 -- a third guilty plea/Order of Deferral entered into by Ms. Hopson in *State v. Hopson*, 19-267 (Madison Cnty. Crim. Ct.).

Based upon the Hearing Panel's consideration of these exhibits, the argument of Disciplinary Counsel, and the ABA Standards for Imposing Lawyer Sanctions ("ABA Standards"), the Hearing Panel imposes the disciplinary sanctions as set forth below.

I. Procedural Background.

Disciplinary proceedings in this cause were initiated by the Board of Professional Responsibility of the Supreme Court of Tennessee on April 8, 2019, with the filing of a Petition for Discipline against Respondent Hopson. The original Petition asserted ethical violations against Respondent as related to seven (7) complainants. *See* Petition for Discipline at ¶¶ 5-103. The Petition alleges multiple violations of RPCs 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.15 (safekeeping of property and funds), 1.16 (declining or terminating representation), 3.2 (expediting litigation), 4.1 (truthfulness in statements to others), 5.5 (unauthorized practice of law), 8.1(b)

(failure to disclose/respond to disciplinary authority), 8.4(b) (misconduct-criminal acts), 8.4(c) (misconduct-dishonesty/fraud/deceit/misrepresentation), and 8.4(g) (misconduct-failure to comply with court order). *See id.* at ¶¶ 12-15, 21-23, 26, 32, 56-59, 65, 82-83 and 99-101.

On August 26, 2019, the Board filed a Supplemental Petition for Discipline, which asserted additional ethical violations against Respondent Hopson as related to four (4) other complainants. *See Supplemental Petition for Discipline* at ¶¶ 5-79. The Supplemental Petition alleges multiple violations of RPCs 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.15 (safekeeping of property and funds), 1.16 (declining or terminating representation), 8.1(b) (failure to disclose/respond to disciplinary authority), 8.4(a) (misconduct-violation of rules of professional conduct), 8.4(b) (misconduct-criminal acts), and 8.4(c) (misconduct-dishonesty/fraud/deceit/misrepresentation). *See id.* at ¶¶ 20-23, 36-40, 54-58 and 72-78.

On October 9, 2019, the Board filed a Second Supplemental Petition for Discipline, which asserted additional ethical violations against Respondent Hopson as related to two (2) more complainants. *See Second Supplemental Complaint* at ¶¶ 5-61. The Second Supplemental Petition alleges multiple violations of RPCs 1.5 (fees), 3.3 (candor toward tribunal), 4.1 (truthfulness in statements to others), 5.5 (unauthorized practice of law), 8.1(b) (failure to disclose/respond to disciplinary authority), 8.4(a) (misconduct-violation of rules of professional conduct), 8.4(b) (misconduct-criminal acts), and 8.4(c) (misconduct-dishonesty/fraud/deceit/misrepresentation), 8.4(d) (conduct prejudicial to the administration of justice), and 8.4(g) (misconduct-failure to comply with court order). *See id.* at ¶¶ 17-24 and 52-60.

Of the thirteen (13) complaints set forth in the three aforementioned pleadings, Respondent Hopson failed to respond to twelve (12) of them. *See Petition for Discipline* at ¶¶ 6, 15, 17, 36, 59, 61, 65, 67, 83, and 85; *Supplemental Petition for Discipline* at ¶¶ 6, 9, 22, 25, 28, 39, 42, 45, 57, 60, 63, and 75; and *Second Supplemental Petition for Discipline* at ¶¶ 6, 19, 29, and 56.

Further, Respondent Hopson failed to file a responsive pleading to any of the three Petitions. Accordingly, on November 22, 2019, the Board filed a Motion for Default. On December 26, 2019, the Hearing Panel entered an Order for Default Judgment, noting Respondent's failure to file responsive pleadings and deeming all allegations and charges asserted in the three Petitions to be admitted. Several years later, on April 27, 2022, the Panel re-affirmed the entry of default judgment by denying Respondent's Motion to Set Aside Default.¹

Accordingly, the only remaining issue for adjudication was "the discipline to be imposed in this matter." *See* Order Granting Default Judgment (entered 12/26/19) at ¶ 3; Order Denying Motion to Set Aside (entered 4/27/22) at p. 12.

II. Request to Continue Hearing.

On August 10, 2023, Respondent Hopson transmitted an email to Disciplinary Counsel Campbell, as well as the members of the Hearing Panel, requesting another continuance of the disciplinary hearing until December of 2023, "until [she is in] a position to retain another counsel." On the same day, Disciplinary Counsel replied to all recipients of the email, opposing the request for a continuance. Thereafter, Disciplinary Counsel placed these emails in the record by means of a Notice of Filing, filed on August 11, 2023.

Ms. Hopson's August 10th email does not constitute a formal Motion, as it was not submitted to the Executive Secretary. However, to the extent that the Hearing Panel has the discretion to treat Ms. Hopson's email as a Motion for Continuance, the Motion is denied. The terms of the Hearing Panel's May 11, 2023, Order were very clear:

[b]y the close of business on **Friday, June 23, 2023**, Respondent Hopson shall notify the Executive Secretary . . . , the Hearing Panel Chair . . . , and counsel for the

¹ A detailed recitation of the delays in these proceedings caused by Respondent Hopson and her former counsel is set forth in that Order, all of which caused the Panel to raise the question: "is Respondent unwilling—rather than *unable*—to follow the orders of this Panel in order to achieve a resolution to this case?" Order (entered 4/27/22) at p. 9, ¶ 12 (emphasis in original).

Board . . . as to whether she has obtained substitute counsel to represent her in this disciplinary proceeding.

...

If Respondent Hopson does not provide such notice . . . by June 23, 2023, the Hearing Panel will presume that Respondent Hopson will proceed *pro se* in this matter.

Order Granting Motion to Withdraw and Setting Final Disciplinary Hearing (entered 5/11/23) at 2.

Respondent did not comply with this deadline.

Further, and as the Hearing Panel previously has noted, these proceedings have been delayed by numerous 11th hour requests for continuances by Ms. Hopson. Indeed, two days before the original January 29, 2020, setting, Ms. Hopson filed a Motion to Continue in order “to secure counsel and present evidence on her behalf.” Motion to Continue Hearing (filed 2/27/20) at 1. Thereafter, on the morning of the *second* setting of the final hearing (June 27, 2022), Respondent—through her counsel—filed another Motion to Continue. *See* Motion to Continue Hearing (filed 6/27/22).

Lastly, and roughly two hours before a Status Conference set for May 10, 2023, Respondent’s counsel—Dana Nero—filed a Motion to Withdraw. *See* Motion to be Relieved as Counsel (filed 5/10/22). At the Status Conference, with Respondent’s participation and agreement, the Hearing Panel set the final hearing for August 15, 2023. *See* Order Granting Motion to Withdraw and Setting Final Hearing (entered 5/10/22). Accordingly, Respondent’s request for another continuance is not justified, and is denied.

III. Findings of Fact and Conclusions of Law.

A. Facts and Violations.

As noted above, the three Petitions (*Exhibits 1* through *3*) pertain to thirteen individual complaints. While the admitted facts are recited in the Petitions, they are summarized here.

1. File No. 54952-7-PS (Danny Walker). Danny Walker engaged Ms. Hopson to assist him in recovering his vehicle, which had been seized in 2013, and paid her approximately \$4,300 for the representation. Ms. Hopson never provided Mr. Walker with any pleadings or correspondence related to the case. She claimed to have obtained court orders regarding Mr. Walker's property, but never provided him with copies of the orders, and—eventually—stopped communicating with him altogether. Mr. Walker was unable to retrieve his file from Respondent.

Accordingly, Ms. Hopson violated RPC 1.3 (diligence) for failing to diligently pursue Mr. Walker's case; violated RPC 1.4 (communication) for failing to adequately communicate with Mr. Walker and keep him reasonably informed about the status of his case; violated RPC 3.2 (expediting litigation) for failing to expedite Mr. Walker's case; and violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to the respond to the complaint.

2. File No. 58289c-7-PS (Stacy Curry). Ms. Hopson was appointed to represent Stacy Curry in either a post-conviction criminal matter or an appeal from a denial of a motion to withdraw a guilty plea. Ms. Hopson violated RPC 1.3 (diligence) for failing to diligently pursue her client's case; violated RPC 1.4 (communication) for failing to adequately communicate with Stacy Curry and keep her client reasonably informed about the status of the case; and violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to the respond to the complaint.

In addition, as a consequence of her suspension on September 13, 2018, (*see Exhibit 6*) Ms. Hopson violated RPC 8.4(g) (failing to comply with a court order) by failing to withdraw from representation of Stacy Curry or notify him of her suspension.

3. File No. 58306-7-PS (Hon. Hugh Harvey, Jr.). Ms. Hopson engaged in the unauthorized practice of law in violation of RPC 5.5 by appearing before Judge Hugh Harvey on

August 23, 2018, when she had been suspended by the Supreme Court one day earlier for non-compliance with her CLE requirements.

4. File No. 58767-7-PS (Virginia Mendoza). Virginia and Jesus Mendoza entered into a lease-purchase agreement with Nathaniel Malone to purchase a house for \$30,000. Pursuant to a lease-purchase agreement, the Mendozas were required to make a down payment of \$5,000 followed by 36 monthly installments, which were to be made to Ms. Hopson (who was Mr. Malone's attorney).

For the first six months, the Mendozas paid \$500/month; thereafter, the Mendozas paid \$734.00/month, until the balance was paid in full. However, after they completed their payments, they discovered that Mr. Malone had not paid off the mortgage and still owed \$18,861.50 (which included \$3,000.00 in late charges that Mr. Malone later agreed to pay). Accordingly, in order to obtain the property, the Mendozas agreed to loan Mr. Malone \$16,794.00 to pay off the mortgage, which Mr. Malone agreed to repay to the Mendozas at \$500/month plus 10% interest.

In August and September of 2017, the Mendozas paid \$16,794.00 to Ms. Hopson to retire the remaining mortgage amount owed by Mr. Malone. Ms. Hopson was to forward the payments to the mortgage company, but failed to do so.

In addition, Ms. Medoza paid Ms. Hopson \$684 for preparation of the loan documents and the paperwork regarding the transfer of the real property. However, the Mendozas received two quitclaim deeds (when they required a warranty deed), and neither of the quitclaim deeds correctly described the property at issue. Further, no loan documents were prepared.

Ms. Hopson's fee for preparation of the loan documents and deeds reflecting the transfer was excessive in violation of RPC 1.5 (fees) in light of the fact that she failed to do either. Ms. Hopson violated RPC 1.15 (safekeeping funds) by failing to deposit the funds given to her by Ms. Mendoza for payment to the mortgage company into a trust account. Ms. Hopson violated

RPC 8.4(b) (criminal conduct) and (c) (conduct involving fraud) by misappropriating the funds given to her by Ms. Mendoza for payment to the mortgage company.² Ms. Hopson violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to respond to the complaint.

5. File No. 59359-7-PS (Media Report). Based upon a media report that Ms. Hopson had been involved in an automobile accident on December 19, 2017, in which a man was injured, and a subsequent indictment for aggravated assault, the Board sent a formal inquiry to Ms. Hopson. Ms. Hopson failed to respond in violation of RPC 8.1(b). By other means, the Board learned that Ms. Hopson had pled guilty to aggravated assault with a motor vehicle (a felony) and failure to exercise due care (a misdemeanor). *See Exhibits 7 and 8.*

6. File No. 59498-7-PS (Darwin Ruiz). In late 2013, Ms. Hopson represented Mr. Ruiz in a lawsuit brought against him by Acuity Insurance Company, and Mr. Ruiz paid Ms. Hopson an initial fee of \$1,500.00. A month or two later, Ms. Hopson requested an additional \$3,000.00, which Mr. Ruiz also paid. Ms. Hopson advised Mr. Ruiz that she wanted to have the money available in order to negotiate with the insurance company, and Mr. Ruiz believed that Respondent used this \$3,000.00 to reach a settlement. Thereafter, and without his knowledge or consent, an agreed judgment of \$7,070.09 was entered against Mr. Ruiz on August 4, 2014.

In June of 2015, the insurance company issued a garnishment of \$1,018.55 against Mr. Ruiz's business partner and co-defendant in the case. Mr. Ruiz contacted Ms. Hopson, who assured him that she would handle the issue and return his money. But she failed to do so. Mr. Ruiz did not learn what transpired in his case until September of 2018, when he was served with a show cause order.

² This also is the basis for one of Ms. Hopson's guilty pleas. *See Exhibit 9.*

Unable to contact Ms. Hopson, Mr. Ruiz obtained a new attorney who learned that Ms. Hopson had paid only \$500 to the insurance company, which led to the garnishment and show cause order. Ultimately, Mr. Ruiz paid the judgment in full in the amount of roughly \$7,800 plus interest.

Ms. Hopson did not return the approximately \$2,500.00 that she received from Mr. Ruiz for the purpose of negotiating a settlement, and misappropriated \$2,500.00 that Mr. Ruiz gave her to effectuate a settlement. Accordingly, Ms. Hopson violated RPC 1.5 (fees), RPC 1.15 (safekeeping funds), and RPC 8.4(b) (criminal conduct), as well as RPC 8.1(b) (bar admission and disciplinary matters) by failing to respond to the complaint.

7. File No. 59918-7-PS (William Milam, Esq.). On February 7, 2019, while suspended from the practice of law, Ms. Hopson contacted attorney Milam and inquired whether he would be present in Jackson City Court for the afternoon docket that day. Ms. Hopson told Mr. Milam that she was to be reinstated on that day—February 7, 2019—but the judge who was to sign the order was ill and would not be able to sign it until the following day.

This was a lie. The only way for Ms. Hopson to be reinstated is by an Order of the Supreme Court granting an application for reinstatement under Rule 9, § 30. And at the time of her conversation with Mr. Milam, Ms. Hopson had not (nor had she ever) submitted any application for reinstatement. Accordingly, Ms. Hopson violated RPC 4.1 (truthfulness in statements to others) by telling Mr. Milam that she was to be reinstated on February 7, 2019, but the judge who was to sign the order was ill and would sign the order on the following day.

Mr. Milam advised Ms. Hopson that he would be present in court, and Ms. Hopson asked him to appear on her behalf, and request a continuance, in a case in which her client was facing felony drug charges and probation violation. Mr. Milam did so, and—in speaking with the prosecutor—conveyed the request for a continuance. In turn, the prosecutor advised that the court

already had appointed another lawyer to represent the defendant, and reset the matter for the following week.

Mr. Milam called Ms. Hopson, and Ms. Hopson stated that—notwithstanding the appointment of a different attorney—she had been retained to represent the defendant. Mr. Milam spoke with the defendant and explained that Ms. Hopson would be available in a week to represent him.

Ms. Hopson violated RPC 5.5 in two ways: first, by holding herself out to Mr. Milam that she was admitted to practice law when in fact she was suspended from the practice of law; second, by either undertaking representation of a client after she was suspended, or failing to withdraw from representation after she was suspended.

Lastly, Ms. Hopson violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to respond to the complaint.

8. File No. 40470c-7-PS (Kenneth Street). Mr. Street hired Ms. Hopson in early 2015 to represent him in a criminal case. Ms. Hopson failed to communicate with Mr. Street and missed several court dates. Further, court records demonstrate that a show cause order was issued against Ms. Hopson in September of 2018. Ultimately, Mr. Street was forced to hire a new attorney due to Ms. Hopson's on-going failure to communicate with him.

Ms. Hopson violated RPC 1.3 (diligence) for failing to diligently pursue Mr. Street's case; violated RPC 1.4 (communication) for failing to adequately communicate with Mr. Street and keep him reasonably informed about the status of his case; and violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to respond to the complaint.

9. File No. 58724-7-PS (Ray Walker). In April of 2018, Mr. Walker contacted Ms. Hopson regarding representation relating to three motor vehicle incidents, and paid her \$420.00 for the engagement. Ms. Hopson failed to provide Mr. Walker with any status updates,

and—based upon her lack of communication and observing no progress—Mr. Walker requested a refund of the fee. When Ms. Hopson did not respond, Mr. Walker sued her and obtained a default judgment against her in General Sessions Court for the amount of the fee.

Ms. Hopson violated RPC 1.3 (diligence) for failing to diligently pursue Mr. Walker's case; violated RPC 1.4 (communication) for failing to adequately communicate with Mr. Walker and keep him reasonably informed about the status of his case; violated RPC 1.16 (termination of representation) by failing to refund Mr. Walker's fee and withdrawing from representation when he requested a refund; and violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to the respond to the complaint.

10. File No. 59885c-7-PS (Linda Owens). In January of 2017, Ms. Owens paid Ms. Hopson \$2,500.00 to represent her in a divorce case. Ms. Owens also paid an additional \$1,000.00 for the engagement of a forensic accountant to review her husband's accounts. For two years, Ms. Hopson failed to provide diligent representation to Ms. Owens, who never saw the results of any forensic accounting audit. Further, Ms. Hopson lied to Ms. Owens about the status of the case and by conveying to her court dates, which—after contacting the court clerk—Ms. Owens learned to be false.

Ms. Hopson violated RPC 1.3 (diligence) for failing to diligently pursue Ms. Owens' case; violated RPC 1.4 (communication) for failing to adequately communicate with Ms. Owens and keep her reasonably informed about the status of her case; violated RPC 1.5 (fees) by charging Ms. Owens a fee and failing to do any work on her case; and violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to the respond to the disciplinary complaint.

11. File No. 60366-7-PS (Board). Allen Milton—a bail bondsman—hired Ms. Hopson in November of 2018 to draft a petition for him to write bonds in counties surrounding Madison County. Ms. Hopson told Mr. Milton that McNairy County required \$1,500.00 for filing the

petition, which Mr. Milton paid. Ms. Hopson advised Mr. Milton that she was going to court to have him approved for writing bonds, and thereafter told him that he was approved in McNairy County. However, Mr. Milton never received any paperwork confirming that he could write bonds in McNairy County. Ultimately, Ms. Hopson admitted to Mr. Milton that she had misappropriated the \$1,500.00 for herself and that she did not pay the required fee. Ms. Hopson did not return the \$1,500.00.

Ms. Hopson violated RPC 1.3 (diligence) for failing to diligently pursue Mr. Milton's engagement; violated RPC 1.4 (communication) for failing to adequately communicate with Mr. Milton and keep him reasonably informed about the status of his engagement; violated RPC 1.15 (safekeeping funds) by failing to use the filing fee provided to her for payment of filing costs and by failing to hold the money separate from her funds; violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to respond to the complaint; violated RPC 8.4(b) (criminal conduct) by misappropriating Mr. Milton's funds; and violated RPC 8.4(c) (dishonesty) by falsely telling Mr. Milton that she had obtained the necessary license to write bonds.

12. File No. 60591c-7-KB (Bobby Marable). In the Fall or Winter of 2018, while suspended from the practice of law, Ms. Hopson accepted a fee in the amount of \$3,200.00 (paid by Mr. Marable's parents) to represent Mr. Marable in a criminal case. Mr. Marable later discovered Ms. Hopson's suspension, and—in spite of repeated demands—Ms. Hopson initially did not respond or return the fee in order for Mr. Marable to engage new counsel. Ultimately, Ms. Hopson refunded to Helen Marable \$3,000.00 of the \$3,200.00 initially paid to her.

Ms. Hopson violated RPC 1.5 (fees) by charging an unreasonable fee when she was suspended from the practice of law; violated RPC 5.5 (unauthorized practice of law) by holding herself out as a licensed attorney at a time when she was suspended and charging for services that she could not provide; violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to

the respond to the complaint; violated RPC 8.4(b) (criminal conduct) by illegally engaging in the practice of law; violated 8.4(c) (dishonesty) by failing to inform Mr. Marable and his mother, Helen, that she was suspended from the practice of law when she accepted the fee; violated RPC 8.4(d) (prejudice to the administration of justice) by illegally engaging in the practice of law, accepting a fee when she was suspended, and knowing at the time that she was unable to represent Mr. Marable; and violated RPC 8.4(g) (failing to comply with a court order) by continuing to practice law after she was suspended by the Supreme Court.

13. File No. 61294-7-ES (Kawasky Taylor/Hon. J. Mark Johnson). In February of 2018, Mr. Taylor hired Ms. Hopson to represent him in three child support matters. While those matters were pending, Ms. Hopson's license was suspended. Yet, Ms. Hopson did not inform Mr. Taylor of the suspension. Instead, in September of 2018, Ms. Hopson asked Mr. Taylor for an additional \$522.00, which he paid. Thereafter, Ms. Hopson accepted an additional \$600.00 from Mr. Taylor in order to represent him in a child support matter pending in Texas (even though she was not licensed to practice in Texas). On November 12, 2018, Mr. Taylor paid Ms. Hopson another \$900.00, for a total of \$2,022.00 after the suspension of her law license.

In early 2019, Ms. Hopson asked Mr. Taylor to speak with attorney Ramsdale O'DeNeal. Mr. Taylor—who had one child support matter set for hearing on March 6, 2019—did so, but he did not hire Mr. O'DeNeal to represent him. Nevertheless, on the morning of March 6, 2019, before Mr. Taylor's child support matter was to be heard, someone purporting to be Mr. O'DeNeal called the clerk's office and requested a continuance. Ms. Hopson participated in that call. Thereafter, a Notice of Appearance and Motion for Continuance were filed by a "Ramsdale O'DeNeal."

The court moved the matter to May 1, 2019. However, when neither Mr. Taylor nor Mr. O'DeNeal appeared at the new hearing date, the Court entered a default judgment. A few weeks later, Mr. Taylor went to the clerk's office and learned of the default judgment.

At a later hearing in June of 2019 on another matter before the same judge, Mr. Taylor testified under oath that he did not hire Mr. O'DeNeal. Mr. O'DeNeal also testified at the June hearing, and confirmed that Mr. Taylor did not hire him. Mr. O'DeNeal further denied calling the clerk's office on March 6, 2019, and denied filing the Notice of Appearance and Motion for Continuance.

Ms. Hopson violated RPC 1.5 (fees) by charging an unreasonable fee when she was suspended from the practice of law; violated RPC 3.3 (candor to the tribunal) by participating in a phone call to the court in which the male caller represented himself as Mr. O'DeNeal for the purpose of obtaining a continuance of Mr. Taylor's hearing and presenting a Notice of Appearance and Motion to Continue to the court bearing the forged signature of Mr. O'DeNeal; violated RPC 4.1 (truthfulness in statements to others), by failing to inform Mr. Taylor that she had been suspended from the practice of law, participating in the phone call to the court clerk in which the male caller represented himself as Mr. O'DeNeal for the purpose of obtaining a continuance of Mr. Taylor's hearing and presenting a Notice of Appearance and Motion to Continue to the court clerk bearing the forged signature of Mr. O'DeNeal; violated RPC 5.5 (unauthorized practice of law) by holding herself out as a licensed attorney at a time when she was suspended and charging for services that she could not provide; violated RPC 8.1(b) (bar admission and disciplinary matters) by failing to respond to the complaints; violated RPC 8.4(c) by engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation; violated RPC 8.4(d) by engaging in conduct that is prejudicial to the administration of justice; and violated RPC 8.4(g) by knowingly

failing to comply with the Orders of the Supreme Court that suspended her from the practice of law.

All of these offenses, described above for all of these complaints, also violated RPC 8.4(a) (misconduct).

B. Sanctions.

1. Applicable ABA Standards.

Under *Meehan v. Board of Professional Responsibility*, 584 S.W.3d 403 (Tenn. 2019), the Supreme Court has stated that the imposition of discipline is a “two-step process”—i.e., determination of the appropriate presumptive sanction under the ABA Standards followed by “consider[ation] [of] whether the presumptive sanction should be increased or decreased based upon aggravating or mitigating factors.” *Id.* at 413. “With no aggravating or mitigating factors, the presumptive sanction applies.” *Id.*

The applicable standards are the following.

4.1 FAILURE TO PRESERVE THE CLIENT’S PROPERTY

Absent aggravating or mitigating circumstances, upon application of the factors set out in 3.0, the following sanctions are generally appropriate in cases involving the failure to preserve client property:

4.11 Disbarment is generally appropriate when a lawyer knowingly converts client property and causes injury or potential injury to a client.

4.12 Suspension is generally appropriate when a lawyer knows or should know that he is dealing improperly with client property and causes injury or potential injury to a client.

4.13 Reprimand is generally appropriate when a lawyer is negligent in dealing with client property and causes injury or potential injury to a client.

4.4 LACK OF DILIGENCE

Absent aggravating or mitigating circumstances, upon application of the factors set out in Standard 3.0, the following sanctions are generally

appropriate in cases involving a failure to act with reasonable diligence and promptness in representing a client:

4.41 Disbarment is generally appropriate when:

- (a) a lawyer abandons the practice and causes serious or potentially serious injury to a client; or
- (b) a lawyer knowingly fails to perform services for a client and causes serious or potentially serious injury to a client; or
- (c) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.

4.42 Suspension is generally appropriate when:

- (a) a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client, or
- (b) a lawyer engages in a pattern of neglect and causes injury or potential injury to a client.

4.43 Reprimand is generally appropriate when a lawyer is negligent and does not act with reasonable diligence in representing a client, and causes injury or potential injury to a client.

5.0 VIOLATIONS OF DUTIES OWED TO THE PUBLIC

5.1 Failure to Maintain Personal Integrity

Absent aggravating or mitigating circumstances, upon application of the factors set out in Standard 3.0, the following sanctions are generally appropriate in cases involving commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, or in cases with conduct involving dishonesty, fraud, deceit, or misrepresentation:

5.11 Disbarment is generally appropriate when:

- (a) a lawyer engages in serious criminal conduct a necessary element of which includes intentional interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft; or the sale, distribution or importation of controlled substances; or the intentional killing of another; or an attempt or conspiracy or solicitation of another to commit any of these offenses; or

(b) a lawyer engages in any other intentional conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously adversely reflects on the lawyer's fitness to practice.

5.12 Suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements listed in Standard 5.11 and that seriously adversely reflects on the lawyer's fitness to practice.

5.13 Reprimand is generally appropriate when a lawyer knowingly engages in any other conduct that involves dishonesty, fraud, deceit, or misrepresentation and that adversely reflects on the lawyer's fitness to practice law.

6.0 VIOLATIONS OF DUTIES OWED TO THE LEGAL SYSTEM

6.1 False Statements, Fraud, and Misrepresentation

Absent aggravating or mitigating circumstances, upon application of the factors set out in Standard 3.0, the following sanctions are generally appropriate in cases involving conduct that is prejudicial to the administration of justice or that involves dishonesty, fraud, deceit, or misrepresentation to a court:

6.11 Disbarment is generally appropriate when a lawyer, with the intent to deceive the court, makes a false statement, submits a false document, or improperly withholds material information, and causes serious or potentially serious injury to a party, or causes a significant or potentially significant adverse effect on the legal proceeding.

6.12 Suspension is generally appropriate when a lawyer knows that false statements or documents are being submitted to the court or that material information is improperly being withheld, and takes no remedial action, and causes injury or potential injury to a party to the legal proceeding, or causes an adverse or potentially adverse effect on the legal proceeding.

6.13 Reprimand is generally appropriate when a lawyer is negligent either in determining whether statements or documents are false or in taking remedial action when material information is being withheld, and causes injury or potential injury to a party to the legal proceeding, or causes an adverse or potentially adverse effect on the legal proceeding.

7.0 VIOLATIONS OF DUTIES OWED AS A PROFESSIONAL

Absent aggravating or mitigating circumstances, upon application of the factors set out in Standard 3.0, the following sanctions are generally appropriate in cases involving false or misleading communication about the

lawyer or the lawyer's services, improper communication of fields of practice, improper solicitation of professional employment from a prospective client, unreasonable or improper fees, unauthorized practice of law, improper withdrawal from representation, or failure to report professional misconduct.

7.1 Disbarment is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional with the intent to obtain a benefit for the lawyer or another, and causes serious or potentially serious injury to a client, the public, or the legal system.

7.2 Suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty as a professional and causes injury or potential injury to a client, the public, or the legal system.

7.3 Reprimand is generally appropriate when a lawyer negligently engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system.

In turn, Standard 9.0 sets forth aggravating factors as follows.

9.0 AGGRAVATION AND MITIGATION

9.1 Generally

After misconduct has been established, aggravating and mitigating circumstances may be considered in deciding what sanction to impose.

9.2 Aggravation

9.21 Definition. Aggravation or aggravating circumstances are any considerations or factors that may justify an increase in the degree of discipline to be imposed.

9.22 Factors which may be considered in aggravation.

Aggravating factors include:

- (a) prior disciplinary offenses;
- (b) dishonest or selfish motive;
- (c) a pattern of misconduct;
- (d) multiple offenses;

- (e) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency;
- (f) submission of false evidence, false statements, or other deceptive practices during the disciplinary process;
- (g) refusal to acknowledge wrongful nature of conduct;
- (h) vulnerability of victim;
- (i) substantial experience in the practice of law;
- (j) indifference to making restitution;
- (k) illegal conduct, including that involving the use of controlled substances.

In this case, the evidence specifically highlights the existence of the following nine (9) aggravating factors: 9.22(a)-(e), 9.22(g), and 9.22(i)-(k).

Standard 9.3 also sets forth mitigating factors. However, due to her lack of participation in the disciplinary hearing, Respondent Hopson failed to proffer any mitigating evidence. In addition, by failing to file responsive pleadings to the three Petitions at issue, Respondent failed to claim even the existence of any mitigating circumstances under Standard 9.3. Accordingly, the Panel finds no mitigating factors applicable to any of the thirteen complaints in this matter.

2. Assessment of Sanctions.

The Hearing Panel has reviewed the record including the evidence as well as the many filings and responses thereto. Some of Respondent's ethical violations are more severe than others. The offenses are addressed separately, and the Hearing Panel assesses the following sanctions accordingly:

File No. 58767-7-PS (Virginia Mendoza)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 4.11, 5.11(b), and 7.1 applicable. The baseline sanction is disbarment.

File No. 59885c-7-PS (Linda Owens)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 4.11, 4.41(b), 5.11, and 7.1 applicable. The baseline sanction is disbarment.

File No. 60366-7-PS (Board "Allen Milton" File)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 4.11, 5.11, and 7.1 applicable. The baseline sanction is disbarment.

File No. 60591c-7-KB (Bobby Marable)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 5.11(a) and 7.1 applicable. The baseline sanction is disbarment.

File No. 61294-7-ES (Kawasky Taylor/Hon. J. Mark Johnson).

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 5.11(a) and 7.1 applicable. The baseline sanction is disbarment.

File No. 59498-7-PS (Darwin Ruiz)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 4.12 and 4.42 applicable. The baseline sanction is suspension, but the application of aggravating factors elevates the sanction to disbarment. Further, in a slight clarification to what the Hearing Panel announced at the conclusion of the final hearing, with respect to the taking and converting of the client's funds, ABA Standards 5.11(a) and 7.1 are applicable, and the baseline sanction is disbarment.

File No. 59918-7-PS (William Milam, Esq.)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 7.2 applicable. The baseline sanction is suspension, but the application of aggravating factors elevates the sanction to disbarment.

File No. 40470c-7-PS (Kenneth Street)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 4.42 applicable. The baseline sanction is suspension, but the application of aggravating factors elevates the sanction to disbarment.

File No. 54952-7-PS (Danny Walker)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 4.43 applicable. The baseline sanction is reprimand, but the application of aggravating factors elevates the sanction to suspension.

File No. 58289c-7-PS (Stacy Curry)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 4.43 and 7.3 applicable. The baseline sanction is reprimand, but the application of aggravating factors elevates the sanction to suspension.

File No. 58306-7-PS (Hon. Hugh Harvey, Jr.)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 7.3 applicable. The baseline sanction is reprimand, but the application of aggravating factors elevates the sanction to suspension.

File No. 59359-7-PS (Media Report)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 7.3 applicable. The baseline sanction is reprimand, but the application of aggravating factors elevates the sanction to suspension.

File No. 58724-7-PS (Ray Walker)

The Hearing Panel has reviewed and considered the ABA Standards set forth above and specifically finds 7.3 applicable. The baseline sanction is reprimand, but the application of aggravating factors elevates the sanction to suspension.

Suspension for the last five complaints above is fixed for a period of two years, with Respondent Hopson serving the first eighteen (18) months as an active suspension and serving the remaining six (6) months on probation with the requirement of a practice monitor. Also, during her period of suspension, Respondent—in addition to acquiring the standard fifteen (15) hours of CLE required of all attorneys—shall acquire an additional 6 hours of ethics CLE credits, with three such hours devoted exclusively to RPC 1.15 and the safekeeping of funds held in trust and completion of these additional CLE hours shall constitute a requirement prior to any reinstatement.

However, in the event that the reviewing Court determines that the misconduct set forth in the first eight complaints does not warrant disbarment, the Panel finds that the conduct described in those eight complaints warrants suspension. In which case, the Panel concludes that the suspension period relating to all 13 complaints should be for a total period of five (5) years, with fifty-four (54) months (i.e., 4½ years) to be served actively and the remaining six (6) months to be served on probation with the requirement of a practice monitor. Also, and as a condition of reinstatement, Respondent shall be required to complete the additional six (6) hours of ethics CLE credits as described above in addition to the standard fifteen (15) hours of CLE required of all attorneys.

Lastly, the Hearing Panel orders Respondent Hopson to pay restitution, or provide proof that restitution has been paid, to the following individuals and in the following amounts:

Danny Walker - \$4,300.00;

Virginia Mendoza - \$20,792.00;

Darwin Ruiz - \$2,500.00;

Ray Walker - \$420.00;

Linda Owens - \$3,500.00;

Allen Milton - \$1,500.00;

Helen Marable - \$200 00, and

Kawasky Taylor - \$2,022 00.

While this restitution requirement is an additional sanction to Respondent's disbarment, complete restitution compliance also is a mandatory condition for reinstatement in the event that the Panel's sanction of disbarment is found by the reviewing Court to be excessive.

The Board may submit an appropriate Application for Assessment of Costs pursuant to Tenn. Sup. Ct. R. 9, § 31.3.

It is SO ORDERED.

FOR THE HEARING PANEL

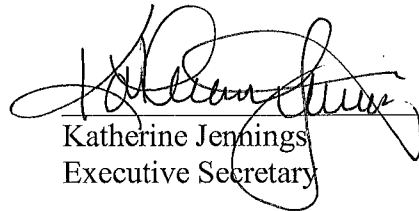


William Ray Reynolds, Chair

THIS JUDGMENT MAY BE APPEALED PURSUANT TO, AND IN ACCORDANCE WITH, TENNESSEE SUPREME COURT RULE 9, SECTION 33, BY FILING A PETITION FOR REVIEW IN THE CIRCUIT OR CHANCERY COURT WITHIN SIXTY (60) DAYS OF THE DATE OF ENTRY OF THIS JUDGMENT.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been sent to Angela Joy Hopson via email (hopsonaj@gmail.com), and U.S. Mail to her registered mailing address of 423 North Highland Avenue, Jackson, TN 38301, and secondary address of 46 Ridgewood Cove, Jackson, TN 38305, and hand-delivered to Andrew B. Campbell, Disciplinary Counsel, on this the 2nd day of October 2023.


Katherine Jennings
Executive Secretary

NOTICE

This judgment may be appealed by filing a Petition for Review in the appropriate Circuit or Chancery Court in accordance with Tenn. Sup. Ct. R. 9, § 33.