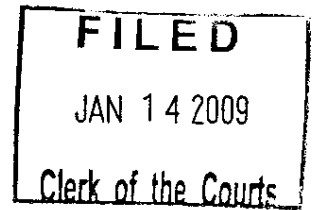


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: SEAN K. HORNBECK, BPR #23197
An Attorney Licensed To Practice Law in Tennessee
(Davidson County)



NO. M2008-02745-SC-BPR-BP
BOPR NO. 2008-1794-5-KH (4.3)

ORDER

On December 15, 2008, this Court entered an order temporarily suspending the Respondent, Sean K. Hornbeck, from the practice of law, pursuant to Supreme Court Rule 9, Section 4.3.

This matter is again before the Court upon a Petition Requesting Dissolution of Temporary Suspension Order filed by the Respondent. Respondent requests to be placed instead on disability inactive status pursuant to Rule 9, Section 21.3 of the Rules of the Supreme Court. This Court has reviewed the affidavit of a physician attached as Exhibit G to the petition; the Response to Petition Requesting Dissolution of Temporary Suspension Order filed by the Board of Professional Responsibility of the Supreme Court of Tennessee; the Reply to Response to Petition Requesting Dissolution of Temporary Suspension Order filed by Respondent; and the entire record in this cause.

From all of which the Court finds that Respondent should be placed on disability inactive status for an indefinite period and until the further order of this Court pursuant to Rule 9, Section 21.3 of the Rules of the Supreme Court, and further finds that Respondent's Petition Requesting Dissolution of Temporary Suspension Order should be held in abeyance pending a hearing on any subsequent petition filed by Respondent for reinstatement to active status pursuant to Rule 9, Section 21.6 of the Rules of the Supreme Court.

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

- (1) That pursuant to Rule 9, Section 21.3 of the Rules of the Supreme Court, Sean K. Hornbeck's license to practice law is hereby transferred to disability inactive status for an indefinite period and until further Order of this Court.
- (2) Respondent's Petition Requesting Dissolution of Temporary Suspension Order be, and is hereby held in abeyance pending a hearing on any subsequent petition filed by Respondent for reinstatement to active status pursuant to Rule 9, Section 21.6 of the Rules of the Supreme Court.

- (3) That pursuant to Rule 9, Section 21.3, and unless otherwise agreed to by the parties, the Court refers this matter immediately to a Hearing Panel for a formal hearing to determine the Respondent's current capacity to respond to or defend against the complaint in this case.
- (4) That pursuant to Rule 9, Section 25.2 of the Rules of the Supreme Court, this Order shall become a public record upon filing; however, all other documents relating to this disability proceeding shall not become public records and shall be kept confidential.
- (5) The Board of Professional Responsibility shall cause notice of this transfer to disability inactive status to be published as required by Rule 9, Sections 21.4 of the Rules of the Supreme Court, and shall take action as may be required under Section 21.5.
- (6) Respondent shall comply with Supreme Court Rule 9 in all respects, and particularly as provided in Section 18.
- (7) Respondent may make application for dissolution or modification for reinstatement to the practice of law as otherwise provided in Supreme Court Rule 9.
- (8) Costs are assessed against Respondent, for which execution may issue if necessary.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK, JUSTICE