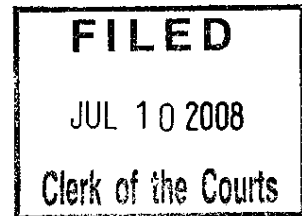


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

**DENNIS J. HUGHES V. BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE SUPREME COURT OF TENNESSEE**

Chancery Court for Davidson County
No. 06-1567-IV

No. M2007-01562-SC-R3-BP



JUDGMENT

This case was heard upon the record on appeal from the trial court, application of the plaintiff for permission to appeal having heretofore been granted, briefs and argument of counsel; and upon consideration thereof, this Court is of the opinion that section 1.3 of Supreme Court Rule 9 should be applied retrospectively, pursuant to our analysis in Love. Trial courts must review a hearing conducted by a panel of the Board of Professional Responsibility on the transcript and may take additional proof only as a means of resolving any irregularities in the process. This Court finds that the third criterion for reinstatement, when subjected to a broadened scope of review, was not supported by "substantial and material evidence" overcoming the nature of the crimes. Because his rehabilitation efforts thus far do not outweigh the seriousness of the crimes, Hughes' reinstatement would be detrimental to the integrity of the bar, the administration of justice, and protection of the public interest.

In accordance with the opinion filed herein, it is, therefore, ordered and adjudged that the judgments of the trial court be affirmed.

The costs of this appeal are assessed to the petitioner, Dennis J. Hughes, and his surety, for which execution may issue if necessary.