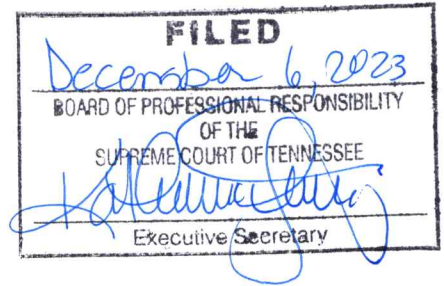


**IN DISCIPLINARY DISTRICT III  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**



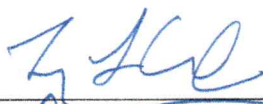
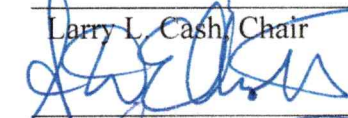
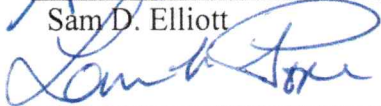
**IN RE: KENT THOMAS JONES  
BPR No. 020158, Respondent  
an Attorney Licensed to Practice  
Law in Tennessee (Hamilton County)**

**DOCKET NO. 2022-3282-3-DB**

**HEARING PANEL'S ORDER ON BOARD'S MOTION TO ALTER OR AMEND**

This is an attorney disciplinary matter pursuant to Rule 9 of the Rules of the Tennessee Supreme Court. By decision dated November 9, 2023, the undersigned panel rendered a decision finding multiple violations of the Tennessee Rules of Professional Conduct (RPC), and further found that a disciplinary sanction of ninety (90) days suspension was appropriate. Subsequently, on November 13, 2023, the Board filed a Motion to Alter or Amend, contending that the Panel mistakenly omitted two RPC violations (1.3 and 8.4) from its order and the sanctions appropriate thereto. On December 4, 2023, Respondent filed a reply to the motion, largely on procedural grounds. Having considered the Board's Motion and the Respondents' Reply (and the Board's response to the reply), the Hearing Panel GRANTS the Board's Motion to the extent reflected in the attached Amendment to Decision of the Hearing Panel replacing the last 5 paragraphs of the Panel's November 9 decision.

This the 6 day of December, 2023.

  
\_\_\_\_\_  
Larry L. Cash, Chair  
  
\_\_\_\_\_  
Sam D. Elliott  
  
\_\_\_\_\_  
Lance W. Pope

## AMENDMENT TO DECISION OF THE HEARING PANEL<sup>1</sup>

The BPR contends that certain aggravating factors should be considered by the Panel from Section 9.22 of the ABA Standards for Imposing Lawyer Sanctions: (a) prior disciplinary offenses; (c) a pattern of misconduct; (d) multiple offenses; (g) refusal to acknowledge wrongful nature of conduct, (i) substantial experience in the practice of law. Respondent Jones, through Counsel, argues that a number of mitigating factors from Section 9.32 of the ABA Standards should apply including: (b) absence of a dishonest or selfish motive, (j) delay in disciplinary proceedings, and (l) remorse.

The Panel finds that there was evidence of prior offenses, that as all three incidents were substantiated, there was a pattern of misconduct and multiple offenses, and that Mr. Jones had substantial experience. Respondent did acknowledge the wrongful nature of his conduct to some extent, and to the extent that he did not, the Panel finds that it was motivated by his desire to defend the nature and severity of his acts and omissions. As mitigating factors the Panel finds the absence of any dishonest or selfish motive and that Respondent Jones showed remorse.

As noted above, the Panel has found violations of **Rules 1.3, 1.15, 4.4, 8.4(a)** and **(d)**. The ABA Standards suggest disciplinary sanctions ranging from disbarment to admonition depending on the factual circumstances involved, including violation of court orders, serious interference with legal proceedings, and injury or potential injury to a client or a third party. Respondent's threatening and/or derogatory e-mails in violation of Rule 4.4 relative to Mr. Mason invoke Standard 6.24 (admonition), but his e-mails to Mr. Horwitz were more serious, and even implied a threat against Horowitz's family, invoking Standard 6.22/6.23 (reprimand/suspension). The violation of Rule 1.15 invokes Standard 4.12 (suspension), as Respondent should be clearly aware of his responsibilities as to client monies and shirking that responsibility caused injury to Mr. Chaput, although, as noted above, Respondent eventually accounted for all the money that should have been held in trust. *Finally, the violation of Rule 1.3 is of a nature to invoke the lesser sanction of reprimand provided in Standard 4.43, which is subsumed into the greater sanction imposed below. Relative to the finding Respondent violated Rule 8.4 (a) (a "catch all" provision) and (d) ("administration of justice"), Rule 8.4(a) broadly invokes ABA Standard 4.0, 5.0, 6.0 and 7.0, and Rule 8.4(d) invokes Standard 6.0. In light of the broad reach of these last standards, the Panel has, in its discretion, determined that increases in the sanctions imposed are not warranted.*

The Panel finds that given these matters, and the presence of the aggravating factors, that suspension is the appropriate disciplinary sanction. Standard 2.3 provides that suspension should be for a "period of time equal to or greater than six months." However the Panel finds that Respondent Jones is appropriately remorseful and there was absence of a dishonest motive in connection with these matters and those mitigation factors justify a reduction in the suspension period pursuant to ABA Standard 9.1.


Accordingly, the Panel imposes a **SUSPENSION** of **NINETY (90) DAYS**

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<sup>1</sup>The amended language is denoted by bold and italicized text.

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing has been sent to Kent Thomas Jones, via email c/o Daniel J. Ripper, Counsel for Respondent, ([dan@lutheranderson.com](mailto:dan@lutheranderson.com)), and to Douglas R. Bergeron, Disciplinary Counsel, ([dbergeron@tbpr.org](mailto:dbergeron@tbpr.org)) on this the 6th day of December 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.**