BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

<u>**RELEASE OF INFORMATION**</u>
<u>**RE: BRIAN KIRK KELSEY, BPR NO. 022874**</u>
<u>**CONTACT: A. RUSSELL WILLIS**</u>
<u>**BOARD OF PROFESSIONAL RESPONSIBILITY**</u>
<u>**615-361-7500**</u>

August 20, 2025

<u>SHELBY COUNTY LAWYER REINSTATED</u>

By Order of the Tennessee Supreme Court entered August 20, 2025, Biran Kirk Kelsey was reinstated to the active practice of law.

On December 8, 2022, Mr. Kelsey was suspended by the Supreme Court of Tennessee pursuant to Tennessee Supreme Court Rule 9, Section 22.3 after entering a plea of guilty to one (1) count of Conspiracy to Defraud the United States, in violation of Title 18 United State Code Section 371 and one (1) count of Aiding and Abetting the Acceptance of Excessive Contributions, in violation of Title 52 United State Code, Sections 30116(a)(1)(A), 30116(a)(7)(B)(i), 30116(f) and 30109(d)(1)(A)(i) and 18 United State Code, Section 2. The Supreme Court referred the case to the Board of Professional Responsibility for the institution of formal proceedings to determine the extent of final discipline.

On March 11, 2025, Mr. Kelsey received a full and unconditional presidential pardon for those offenses against the United States enumerated in *United States v. Kelsey et. al.*, Case No. 3:21-cr-00264 (Middle District of Tennessee). Thereafter, Mr. Kelsey filed a declaration with the Supreme Court seeking immediate reinstatement to the practice of law. After briefing by the parties, the Supreme Court concluded Mr. Kelsey should be immediately reinstated from his December 8, 2022 Tennessee Supreme Court Rule 9, Section 22.3(a) suspension; however, his reinstatement will not terminate any formal proceedings pending against him, the disposition of which shall be determined by the hearing panel and the Board on the basis of the available evidence in accordance with Tennessee Supreme Court Rule 9, Section 22.3(b).

Kelsey 3299-9 rel.doc