

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
06/05/2019
Clerk of the
Appellate Courts

IN RE: JAMES LESTER KENNEDY, BPR #005453
An Attorney Licensed to Practice Law in Tennessee
(Knox County)

No. M2019-00926-SC-BAR-BP
BOPR No. 2018-2906-2-AW

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline against James Lester Kennedy, filed August 27, 2018; upon the Board's Motion for Default Judgment and that Charges in Petition for Discipline Be Deemed Admitted filed December 11, 2018; upon the Hearing Panel's Order Granting Default Judgment entered on December 28, 2018; upon the hearing conducted on February 1, 2019; upon the Hearing Panel's Findings of Fact, Conclusions of Law and Judgment entered on February 25, 2019; upon service of the Findings of Fact, Conclusions of Law and Judgment by the Executive Secretary of the Board on February 26, 2019; upon the Board's Application for Assessment of Costs on February 26, 2019; upon the Hearing Panel's entry of its Findings and Judgment on Costs on March 19, 2019; upon consideration and approval by the Board on March 8, 2019; upon expiration of the appeal period with no appeal taken, and upon the entire record in this cause.

From all of which the Court approves the recommendation of the Hearing Panel and adopts the Hearing Panel's Findings of Fact, Conclusions of Law and Judgment suspending Mr. Kennedy for three (3) years.

On July 20, 2017, Mr. Kennedy was suspended from the practice of law for one (1) year in case number M2017-01460-SC-BAR-BP. Mr. Kennedy has neither requested nor been granted reinstatement to the practice of law.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

(1) James Lester Kennedy is suspended from the practice of law for three (3) years, pursuant to Tenn. Sup. Ct. R. 9, § 12.2.

(2) Prior to seeking reinstatement, Mr. Kennedy must have met all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this suspension until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(3) Mr. Kennedy shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Kennedy shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$511.66 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(6) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM