

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
01/22/2020
Clerk of the
Appellate Courts

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

No. M2020-00060-SC-BAR-BP
BOPR No. 2019-2964-2-AW

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against James Lester Kennedy on February 15, 2019; upon Motion for Default Judgment and that Charges in the Petition for Discipline be Deemed Admitted filed May 23, 2019; upon entry of an Order Granting Default Judgment on June 20, 2019; upon the hearing in this matter held on July 18, 2019, and the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel entered October 8, 2019; upon service of the Findings of Fact, Conclusions of Law and Judgment upon Mr. Kennedy by the Executive Secretary of the Board on October 8, 2019; upon the Board's Application for Assessment of Costs filed October 16, 2019; upon the Hearing Panel's Order Granting the Board of Professional Responsibility's Application for Assessment of Costs on November 1, 2019; upon service of the Order Granting the Board of Professional Responsibility's Application for Assessment of Costs upon Mr. Kennedy by the Executive Secretary of the Board on November 1, 2019; upon consideration and approval by the Board on December 13, 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 Hearing Panel's Findings of Fact, Conclusions of Law and Judgment and Order Granting the Board of Professional Responsibility's Application for Assessment of Costs and adopts the same as the Court's Order.

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

(1) James Lester Kennedy is suspended from the practice of law for two (2) years to be served consecutive to the three (3) year suspension imposed by the Order of Enforcement (Docket No. M2019-00926-SC-BAR-BP) entered June 5, 2019, 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) Additionally, 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 \$1,354.50 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