

IN DISCIPLINARY DISTRICT IX  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE

IN RE: ERIC JOHN MONTIERTH, #031679  
Respondent, an attorney licensed  
to practice law in Tennessee  
(Shelby County)

FILE NO. 65782-9-ES

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PUBLIC CENSURE

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The above complaint was filed against Eric John Montierth, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered this matter at its meeting on December 11, 2020.

Mr. Montierth failed to timely file an appellate brief for two criminal clients. In both cases, the court then entered an order directing him to file the brief within ten days. In both cases, Mr. Montierth failed to file the brief or ask for an extension of time. Almost four months later, the court ordered Mr. Montierth to appear and explain his conduct, which he did. The court later accepted his late-filed brief in each case. Mr. Montierth's conduct resulted in potential harm to his clients.

By the aforementioned acts, Eric John Montierth has violated Rules of Professional Conduct Rule 1.3 (diligence), 3.2 (expediting litigation) and 3.4(c) (fairness to opposing party and counsel) and 8.4(d) (prejudice to the administration of justice) and is hereby Publicly Censured.

FOR THE BOARD OF  
PROFESSIONAL RESPONSIBILITY

*Floyd S. Flippin*

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Floyd Flippin, Chair

*1-12-21*

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Date