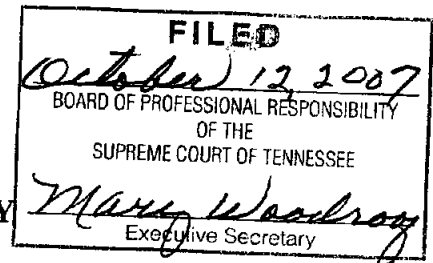


**IN DISCIPLINARY DISTRICT IX
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**



**IN RE: DWIGHT T. MOORE, BOPR #10813,
Respondent. An Attorney Licensed
to Practice Law in Tennessee
(Shelby County)**

**FILE NOS. 29384-9-JJ
29406-9-JJ**

PUBLIC CENSURE

The Board of Professional Responsibility considered these two complaint files against the respondent at its June, 2007 meeting and determined that issuance of a Public Censure was appropriate. Both complaints involved respondent's representation of a client in a Probate Court matter beginning in the fall of 2005.

A hearing was set on November 16, 2005 in Shelby County Probate Court on a petition Respondent filed the day before for letters of administration to open an estate allowing the decedent's 2 adult sons to file claims for life insurance proceeds which the decedent was required to maintain pursuant to a 1976 divorce decree. The decedent died on November 16, 2004, and it was not known whether he had died testate or intestate.


Respondent was informed by the Court on November 15, 2005 that the two adult sons were the only proper parties, and the sons resided in Mississippi and in Maryland. Respondent desired his client (the former spouse) to have power of attorney (POA) to proceed on behalf of both sons, and timely obtained the signature of one son to a POA. However, the son who resided in Mississippi could not sign by the mid-morning hearing on November 16, 2005, because this son could not be contacted in person or by phone in time for this hearing. Because of the inability to

locate the son who resided in Mississippi prior to the hearing, Respondent improperly allowed his client to sign this son's name to the POA, and improperly notarized the alleged signature of this son to the POA. Respondent did not obtain this son's approval to have the mother sign the POA for him, and improperly relied upon the mother's claim to have verbal authority to sign for this son. Within a week after filing the two POA's with the Court on November 16, 2005, this son learned what his mother had done, contacted respondent and told respondent that his mother had no right to proceed on his behalf, and that he did not desire to assert any claim for the life insurance.

Respondent dismissed the claim of the son who resided in Mississippi on November 23, 2005, but did not disclose to either the Board, the Probate Court or opposing counsel what he had done until after his client admitted in a June 20, 2006 hearing that she had forged this son's signature to his POA. It further appears that respondent did not make the self-report to the Board in July of 2006 until after meeting with the Judge and opposing counsel in chambers about his client's admission.

Based on the respondent's actions, he has engaged in deceptive conduct before a tribunal and has assisted his client in filing false documents with the Court, in violation of RPCs 3.3(a)(1)(b)(c), 3.4(b)(c), 4.1(a), and 8.4(a)(c)(d). Accordingly, he is hereby **PUBLICLY CENSURED** on account of such violations and the captioned files are hereby closed.

FOR THE BOARD:



W. Ferber Tracy, Esq., Chairman

DATED: 10/11/07