

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
01/23/2023
Clerk of the
Appellate Courts

IN RE: DANA L. NERO, BPR #025042

No. M2022-01412-SC-BAR-BP

ORDER DISSOLVING TEMPORARY SUSPENSION

On October 7, 2022, Dana L. Nero was suspended pursuant to Tenn. Sup. Ct. R. 9, section 12.3 for failing to respond to the Board concerning a complaint of misconduct. On January 9, 2023, Ms. Nero filed a petition pursuant to Tenn. Sup. Ct. R. 9, section 12.3(d), seeking dissolution of her suspension on the basis that she has now provided all the documents requested by the Board.

On January 17, 2023, the Board filed a response to the petition acknowledging that Ms. Nero provided responses on November 21, 2022, “which Disciplinary Counsel has reviewed and deems responsive to the previous requests.” Nevertheless, the Board argues that Ms. Nero has failed to demonstrate good cause for reinstatement because her petition does not establish any good faith factual basis for her initial failure to respond in a timely manner or to seek an extension of time to respond prior to her suspension. The Board asserts that the matter should be set for an immediate hearing before a Board panel in which Ms. Nero will have the burden of demonstrating good cause for the dissolution of the October 7, 2022 Order of Temporary Suspension.

Because the Board admits that the reason for Ms. Nero’s temporary suspension has now been resolved, holding a hearing on her petition for dissolution under Tenn. Sup. Ct. R. 9, § 12.3(d) is not necessary. Accordingly, Ms. Nero is entitled to immediate dissolution of the temporary suspension.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED THAT:

1. The temporary suspension imposed upon Dana L. Nero by the October 7, 2022 Order of Temporary Suspension is hereby dissolved.
2. The Board of Professional Responsibility shall cause notice of this reinstatement to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

It is so ORDERED.

PER CURIAM