

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

12/03/2018

Clerk of the
Appellate Courts

IN RE: ASCHALEW GUADIE NIGUSSIE, BPR #032278

An Attorney Licensed to Practice Law in Tennessee
(Decatur, Georgia)

No. M2018-02161-SC-BAR-BP
BOPR No. 2017-2761-0-AJ .

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Aschalew Guadie Nigussie on August 14, 2017; upon Motion for Default Judgment and that the Allegations in Petition for Discipline Be Deemed Admitted filed on May 30, 2018; upon an Order for Default Judgment entered June 18, 2018; upon a hearing on July 27, 2018; upon the Findings of Fact and Conclusions of Law of the Hearing Panel entered August 13, 2018; upon service of the Findings of Fact and Conclusions of Law of the Hearing Panel on Mr. Nigussie by the Executive Secretary of the Board on August 13, 2018; upon the Board's Application for Assessment of Costs filed August 14, 2018; upon the Hearing Panel's Findings and Judgment for Assessment of Costs entered August 31, 2018; upon service of the Hearing Panel's Findings and Judgment for Assessment of Costs upon Mr. Nigussie by the Executive Secretary for the Board on August 31, 2018; upon consideration and approval by the Board on September 14, 2018; 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 and adopts the Hearing Panel's Findings of Fact and Conclusions of Law as the Court's Order.

On March 10, 2017, Mr. Nigussie was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (M2017-00461-SC-BAR-BP). On July 27, 2016, Mr. Nigussie was suspended for non-payment of his registration fee and IOLTA non-compliance. To date, Mr. Nigussie has not requested, nor been granted reinstatement.

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

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.1, Aschalew Guadie Nigussie is disbarred from the practice of law.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7, and as a condition precedent to any reinstatement, Mr. Nigussie shall make restitution to Fitsum Adugna in the amount of \$1,170.00 and shall furnish to the Board of Professional Responsibility proof of restitution. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Nigussie shall reimburse TLFCP in the same amount.

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

(4) Prior to seeking reinstatement, Mr. Nigussie must meet 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.

(5) Further, the Order of Temporary Suspension entered on March 10, 2017, in M2017-00461-SC-BAR-BP is hereby dissolved.

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective immediately.

(7) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Mr. Nigussie shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$642.33, 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.

(8) 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



**BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

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RELEASE OF INFORMATION
RE: ASCHALEW GAUDIE NIGUSSIE, BPR #032278
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

December 3, 2018

TENNESSEE LAWYER DISBARRED

Effective December 3, 2018, the Supreme Court of Tennessee disbarred Aschalew Guadie Nigussie of Decatur, Georgia, from the practice of law in Tennessee and ordered him to pay restitution to one client as a condition of reinstatement. Mr. Nigussie must pay the Board of Professional Responsibility's costs and expenses and court costs within ninety days.

A Petition for Discipline consisting of two (2) complaints of misconduct was filed August 14, 2017. The complaints allege Mr. Nigussie accepted fees from clients, performed little if any work on their behalf and abandoned the cases when he ceased communicating with them. Mr. Nigussie did not respond to the Petition for Discipline and an Order for Default Judgment was entered against Mr. Nigussie.

Mr. Nigussie's professional misconduct violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.5(f) (fees), 1.16 (d) (terminating representation), 8.1 (b) (disciplinary matters) and 8.4 (a) and (d) (conduct that is prejudicial to the administration of justice).

Mr. Nigussie must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30, regarding the obligations and responsibilities of disbarred attorneys.

Nigussie 2761-0 rel.doc