

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

FILED
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BOARD OF PROFESSIONAL
RESPONSIBILITY
[Signature]
EXEC. SEC.

IN RE: GREGORY SCOTT NORRIS,
BOPR No. 034373, Respondent,
an Attorney Licensed to Practice
Law in Tennessee
(Carter County)

DOCKET NO. 2018-2894-1-AJ

FINDINGS AND JUDGMENT

In light of the panel hearing held in the above-styled matter on Tuesday, April 2, 2019 (the "Hearing"), and after careful consideration of the evidence introduced at the Hearing, the hearing panel (the "Panel") submits the following as its Findings and Judgment pursuant to Tenn. Sup. Ct. R. 9, § 15.3:

STATEMENT OF THE CASE

1. This is a disciplinary proceeding against Gregory Scott Norris ("Mr. Norris"), an attorney licensed to practice law in the State of Tennessee in 2015.
2. A Petition for Discipline (the "Petition") was filed against Mr. Norris on August 3, 2018. A Supplemental Petition (the "Supplemental Petition") was filed against Mr. Norris on November 19, 2018.
3. Mr. Norris failed to respond to either the Petition, or the Supplemental Petition, and his deadline for doing so has expired.
4. On March 19, 2019, the Panel entered an Order for Default Judgment.

5. As a result of the Order for Default Judgment, all charges in the Petition for Discipline, and in the Supplemental Petition, are deemed admitted pursuant to Tenn. Sup. Ct. R. 9, § 15.2 (b).

6. This matter was heard by the Panel on Tuesday, April 2, 2019. The Panel was composed of James William Harrison, Esq., Mark Albert Skelton, Esq. and Richard Edward Ladd, Jr., Esq.¹ The Board of Professional Responsibility (the "Board") was represented by Jerry Morgan, Disciplinary Counsel. Mr. Norris failed to appear for the Hearing.

FINDINGS OF FACT

The testimony and evidence presented to the Panel, along with the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition establish the following facts:

7. Mr. Norris is an attorney admitted by the Supreme Court of Tennessee to practice law in the State of Tennessee. Mr. Norris' last known address as registered with the Board is 603 Scioto Road, Unicoi, Tennessee, being in Disciplinary District I. Mr. Norris was licensed to practice law in the State of Tennessee in 2015 and his Board of Professional Responsibility number is 034373.

¹ Nikki Carter Pierce, Esq. was originally named to the Hearing Panel, but due to a conflict, she was replaced by Richard E. Ladd, Jr., Esq. in a Notice of Hearing Panel Change filed on March 6, 2019.

8. On January 24, 2018, the Board filed a Petition for Temporary Suspension against Mr. Norris in the Supreme Court of Tennessee. (Exhibit 1).²

9. The Petition for Temporary Suspension was based on the January 19, 2018 affidavit of Assistant District Attorney Dennis D. Brooks (First Judicial District) (Exhibit 2) and the January 19, 2018 affidavit of Assistant District Public Defender Melanie Sellers (First Judicial District). (Exhibit 3).

10. On January 26, 2018, the Supreme Court of Tennessee filed an Order of Temporary Suspension pursuant to Tenn. Sup. Ct. R. 9, § 12.3, temporarily suspending Mr. Norris from the practice of law, and obligating him to comply with Tenn. Sup. Ct. R. 9 in all respects, specifically including Tenn. S. Ct. R. 9, § 28, regarding the responsibilities of suspended attorneys. A certified copy of the Order of Temporary Suspension was admitted at the Hearing. (Exhibit 4).

11. Due to its concerns that Mr. Norris failed to comply with the Order of Temporary Suspension, the Board filed a Verified Complaint for Appointment of Receiver Attorney in the Chancery Court of Carter County, Tennessee (Case No. 30050) on March 19, 2018. (Exhibit 5).

12. The Board also filed a Motion for Immediate Appointment of Interim Receiver Attorney and Set Expedited Hearing on Appointment of Permanent

² Unless otherwise noted, exhibit numbers refer to the exhibits introduced at the Hearing.

Receiver in the Chancery Court of Carter County, Tennessee (Case No. 30050) the same day. (Exhibit 6).

13. On March 21, 2018, the Chancery Court of Carter County, Tennessee filed an Order for Appointment of Receiver Attorney. A certified copy of the Order for Appointment of Receiver Attorney was admitted at the Hearing. (Exhibit 7).

14. The Board filed the Petition on August 3, 2018. (Exhibit 8).

15. The Board filed the Supplemental Petition on November 19, 2018. (Exhibit 9).

16. As reflected in the relevant sworn Affidavit of Service, Mr. Norris was personally served with the Petition and the Supplemental Petition, among other documents, on January 19, 2018. (Exhibit 10).

17. After the time for Mr. Norris to answer the Petition and Supplemental Petition expired, the Board filed its Motion for Default Judgment and that Charges in Petition for Discipline and in Supplemental Petition for Discipline for Discipline be Deemed Admitted ("Motion for Default Judgment") on February 22, 2019. (Exhibit 11).

18. On March 19, 2019, the Panel entered and filed an Order for Default Judgment. (Exhibit 12). As a consequence of Mr. Norris's failure to answer, all of the charges in the Petition, as well as those in the Supplemental Petition, are deemed admitted.

File No. 55538-1-SC – Dennis Brooks

19. On January 17, 2018, the Board received a complaint against Mr. Norris from Dennis D. Brooks ("Mr. Brooks") and forwarded it to Mr. Norris on January 18, 2018, requesting his response. (Petition, Exhibit A).

20. Mr. Norris did not respond to the complaint.

21. Mr. Brooks is an Assistant District Attorney (First Judicial District) and was opposing counsel in a seven count first degree murder indictment where the defendant was represented by Mr. Norris.

22. Mr. Norris failed to appear in Court on January 5, 2018, when the case was set on a status docket.

23. Mr. Norris also failed to appear in another case on the same docket which was being handled by another prosecutor.

24. Mr. Norris did not notify Mr. Brooks, the Court Clerk's office, or the presiding Judge that Mr. Norris would not be appearing.

25. Mr. Brooks stopped by Mr. Norris' office and spoke with Mr. Norris a week after the hearing.

26. Mr. Norris denied having a substance abuse problem but admitted that he "sometimes" used cocaine.

27. Mr. Brooks received word while speaking with law enforcement on other matters that an investigation concerning Mr. Norris' drug use was pending.

28. Mr. Brooks was forwarded copies of text message exchanges between Mr. Norris and a confidential informant who was one of Mr. Norris' clients when the text messages were exchanged.

29. Based upon these text messages, it appeared that Mr. Norris was purchasing methamphetamine from the confidential informant.

30. A related criminal investigation remains pending.

31. Mr. Norris violated Tennessee Rule of Professional Conduct ("RPC") 8.1 (b) by failing to respond to an inquiry from the Board.

32. Mr. Norris' conduct violated RPC 8.4 (a) (misconduct), (d) (conduct that is prejudicial to the administration of justice) and (g) (knowingly violating his obligations set forth in the Order of Temporary Suspension).

File No. 55513-1-SC – Melanie Sellers

33. On January 11, 2018, the Board received a complaint against Mr. Norris from Melanie Sellers ("Ms. Sellers") and forwarded it to Mr. Norris on January 11, 2018, requesting his response. (Petition, Exhibit C).

34. Mr. Norris did not respond to the complaint.

35. Ms. Sellers is an Assistant Public Defender (First Judicial District).

36. Ms. Sellers regularly appeared in Court with Mr. Norris prior to his temporary suspension.

37. According to Ms. Sellers, Mr. Norris failed to appear in Court on a criminal case, was late to Court on a number of occasions, and began making incoherent legal arguments while in Court.

38. Ms. Sellers has represented clients in Drug Recovery Court for twenty (20) years, and based upon Mr. Norris' speech, demeanor, and physical appearance, Ms. Sellers formed the impression that Mr. Norris was suffering from a substance abuse problem.

39. Mr. Norris violated RPC 8.1 (b) by failing to respond to an inquiry from the Board.

40. Mr. Norris' conduct violated RPC 8.4 (a) (misconduct), (d) (conduct that is prejudicial to the administration of justice) and (g) (knowingly violating his obligations set forth in the Order of Temporary Suspension).

File No. 55795-1-SC – Complainant - Emilee Townsend

41. On February 3, 2018, the Board received a complaint against Mr. Norris from Complainant Emilee Townsend ("Ms. Townsend") and forwarded it to Mr. Norris on February 6, 2018, requesting his response. (Petition, Exhibit D).

42. Mr. Norris did not respond to the complaint.

43. Ms. Townsend hired Mr. Norris in late August 2017.

44. Mr. Norris agreed to file a petition to modify a permanent parenting plan.

45. Ms. Townsend advised Mr. Norris that she sought entry of an emergency order enjoining her former spouse from any contact with the parties' children, due to her allegation that the children were being physically abused by a third party in her former spouse's residence.

46. Ms. Townsend paid Mr. Norris a total of \$1,500.00.

47. Ms. Townsend signed a fee agreement, but was not provided with a copy.

48. Mr. Norris filed Ms. Townsend's petition but took no other action in the representation.

49. Ms. Townsend never spoke with Mr. Norris after signing her fee agreement, and Mr. Norris did not respond to her numerous phone calls and other inquiries.

50. Ms. Townsend did not discover that Mr. Norris was temporarily suspended until it was reported in the media.

51. Mr. Norris did not notify Ms. Townsend that he had been suspended or provide Ms. Townsend with her file or refund any portion of her fee.

52. Mr. Norris violated RPC 1.1 by failing to provide competent representation to Ms. Townsend.

53. Mr. Norris violated RPC 1.3 and RPC 1.4 by failing to diligently represent Ms. Townsend and communicate with Ms. Townsend about her case.

54. Mr. Norris violated RPC 1.5 (a) by charging Ms. Townsend an unreasonable fee.

55. Mr. Norris violated RPC 1.16 (d) by abandoning Ms. Townsend, and by failing to take the steps necessary to protect Ms. Townsend's interests.

56. Mr. Norris violated RPC 3.2 by failing to expedite Ms. Townsend's case.

57. Mr. Norris violated RPC 8.1 (b) by failing to respond to an inquiry from the Board.

58. Mr. Norris' conduct violated RPC 8.4 (a) (misconduct), (d) (conduct prejudicial to the administration of justice) and (g) (knowingly violating his obligations set forth in the Order of Temporary Suspension).

File No. 56171-1-SC -Complainants - Carl and Nancy Ballard

59. On February 28, 2018, the Board received a complaint against Mr. Norris from Complainants Carl and Nancy Ballard ("Mr. and Ms. Ballard") and forwarded it to Mr. Norris on March 2, 2018, and on March 20, 2018, requesting his response. (Petition, Exhibit E).

60. Mr. Norris did not respond to the complaint.

61. Mr. Norris agreed to represent Mr. and Ms. Ballard and Jack Tipton ("Mr. Tipton") on December 13, 2017, in obtaining protective orders against Mr. Tipton's former spouse.

62. A fee agreement was signed requiring payment of a \$1,000.00 nonrefundable retainer.

63. Mr. and Ms. Ballard paid Mr. Norris \$650.00 towards this retainer.

64. The orders of protection were set to be heard on December 19, 2017.

65. Mr. Norris did not appear or provide notice that he would not be appearing.

66. The case was reset for January 16, 2018.

67. Mr. and Ms. Ballard made an appointment to meet with Mr. Norris on January 11, 2018, but Mr. Norris failed to appear and did not respond to Mr. and Ms. Ballard's calls asking to reschedule.

68. Mr. Norris again failed to appear in Court on January 16, 2018.

69. On January 19, 2018, Ms. Ballard left a letter at Mr. Norris' home demanding a refund.

70. Ms. Ballard did not hear further from Mr. Norris.

71. The case was continued to permit Mr. and Ms. Ballard time to retain other counsel.

72. Mr. Norris did not notify Mr. and Ms. Ballard of his temporary suspension, provide them with their file, nor give any refund of their fees.

73. Mr. Norris violated RPC 1.1 by failing to provide competent representation to Mr. and Ms. Ballard.

74. Mr. Norris violated RPC 1.3 and RPC 1.4 by failing to diligently represent Mr. and Ms. Ballard and communicate with them about their case.

75. Mr. Norris violated RPC 1.5 (a) by charging Mr. and Ms. Ballard an unreasonable fee.

76. Mr. Norris violated 1.16 (d) by abandoning Mr. and Ms. Ballard and by failing to take the steps necessary to protect Mr. and Ms. Ballard's interests.

77. Mr. Norris violated RPC 3.2 by failing to expedite Mr. and Ms. Ballard's case.

78. Mr. Norris violated RPC 8.1 (b) by failing to respond to an inquiry from the Board.

79. Mr. Norris' conduct violated RPC 8.4 (a) (misconduct), (d) (conduct prejudicial to the administration of justice) and (g) (knowingly violating his obligations set forth in the Order of Temporary Suspension).

File No. 55074-1-SC – Complainant - Kimberly Hammer

80. On December 2, 2017, and February 11, 2018, the Board received complaints from Kimberly Hammer ("Ms. Hammer") against Mr. Norris and forwarded them to Mr. Norris on February 26, 2018, requesting his response. (Petition, Exhibit F).

81. Mr. Norris did not respond to the complaints.

82. Mr. Norris agreed to represent Ms. Hammer in a pending Juvenile Court proceeding on November 4, 2017.

83. The petition was filed by Ms. Hammer, acting *pro se*, in October 2017.

84. Ms. Hammer's parents paid Mr. Norris a \$5,000.00 retainer.

85. No fee agreement was signed.

86. The retainer fee was not deposited into a trust account, because Mr.

Norris has not maintained a trust account since being licensed in 2015.

87. Ms. Hammer spoke with Mr. Norris several times by telephone in November 2017 and exchanged text messages.

88. Ms. Hammer terminated Mr. Norris and requested a refund.

89. In response to the request for a refund, Mr. Norris sent a billing statement to Ms. Hammer on November 29, 2017.

90. Mr. Norris' billing statement was in the amount of \$5,650.00, leaving an unpaid balance of \$650.00.

91. Many of the billings are disputed by Ms. Hammer.

92. For example, Mr. Norris billed time for a meeting at Ms. Hammer's home that did not take place, and billed for telephone calls to Ms. Hammer that did not occur.

93. Ms. Hammer attempted to contact Mr. Norris to discuss the matter but did not receive a response.

94. Mr. Norris did not provide Ms. Hammer with notice of his temporary suspension, return her file, nor refund any of her fees.

95. Mr. Norris violated RPC 1.1 by failing to provide competent representation to Ms. Hammer.

96. Mr. Norris violated RPC 1.3 and RPC 1.4 by failing to diligently represent Ms. Hammer and communicate with her about her case.

97. Mr. Norris violated RPC 1.5 (a) by charging Ms. Hammer an unreasonable fee.

98. To the extent the fee was non-refundable, Mr. Norris violated RPC 1.5 (f) by failing to execute a written fee agreement with Ms. Hammer.

99. Mr. Norris violated RPC 1.15 (a) and (c) by failing to deposit his fee in a trust account.

100. Mr. Norris violated RPC 1.16 (d) by abandoning Ms. Hammer, and by failing to take the steps necessary to protect Ms. Hammer's interests.

101. Mr. Norris violated RPC 3.2 by failing to expedite Ms. Hammer's case.

102. Mr. Norris violated RPC 8.1 (b) by failing to respond to an inquiry from the Board.

103. Mr. Norris' conduct violated RPC 8.4 (a) (misconduct), (d) (conduct prejudicial to the administration of justice) and (g) (knowingly violating his obligations set forth in the Order of Temporary Suspension).

File No. 55785c-1-SC – Complainant - Dana Baird

104. On February 1, 2018, the Board received a complaint from complainant Dana Baird ("Mr. Baird") against Mr. Norris and forwarded it to Mr. Norris on February 23, 2018, requesting his response. (Petition, Exhibit G).

105. Mr. Norris did not respond to the complaint.

106. Mr. Baird hired Mr. Norris in 2017 to represent him in filing a petition for post-conviction relief.

107. Mr. Baird had previously pled guilty to two counts of attempted aggravated sexual battery, and alleged that he was coerced by his attorney (at the time of his plea) into accepting the plea bargain.

108. Mr. Baird's mother paid a \$6,000.00 flat fee to Mr. Norris.

109. No fee agreement was signed.

110. Mr. Norris filed the petition, but took no other action in the representation.

111. The petition was set to be heard on January 5, 2018.

112. Mr. Norris did not appear or provide notice that he would not be appearing.

113. The Court agreed to continue the post-conviction hearing until May 7, 2018 to give Mr. Baird time to obtain other counsel.

114. Mr. Baird hired David Crockett ("Mr. Crockett"), who obtained Mr. Baird's file from Mr. Norris.

115. Mr. Crockett confirmed that from review of the file, there was no indication that Mr. Norris took any action in the representation.

116. Mr. Baird did not discover that Mr. Norris' license was suspended until it was reported by the media.

117. Mr. Norris has not refunded any portion of Mr. Baird's fee.

118. Mr. Norris violated RPC 1.1 by failing to provide competent representation to Mr. Baird.

119. Mr. Norris violated RPC 1.3 and RPC 1.4 by failing to diligently represent Mr. Baird and communicate with Mr. Baird about his case.

120. Mr. Norris violated RPC 1.5 (a) by charging Mr. Baird an unreasonable fee.

121. To the extent the fee was non-refundable, Mr. Norris violated RPC 1.5 (f) by failing to execute a written fee agreement with Mr. Baird.

122. Mr. Norris violated RPC 1.15 (a) and (c) by failing to deposit his fee in a trust account.

123. Mr. Norris violated RPC 1.16 (d) by abandoning Mr. Baird, and by failing to take the steps necessary to protect Ms. Baird's interests.

124. Mr. Norris violated RPC 3.2 by failing to expedite Mr. Baird's case.

125. Mr. Norris violated RPC 8.1 (b) by failing to respond to an inquiry from the Board.

126. Mr. Norris' conduct violated RPC 8.4 (a) (misconduct), (d) (conduct prejudicial to the administration of justice) and (g) (knowingly violating his obligations set forth in the Order of Temporary Suspension).

File No. 53852-1-SC – Complainant - John Burton

127. On August 30, 2017, the Board received a complaint from John Burton ("Mr. John Burton") against Mr. Norris and forwarded it to Mr. Norris on September 1, 2017, requesting a response. (Petition, Exhibit H).

128. By letter dated September 19, 2017, Mr. Norris responded to the complaint and the Board forwarded his response to Mr. John Burton, requesting his reply. (Petition, Exhibit I).

129. By letters to Mr. Norris dated October 12, 2017, and January 19, 2018, the Board requested additional information from Mr. Norris. (Petition, Exhibit J).

130. Mr. Norris did not respond to the requests for additional information from the Board after his initial submission.

131. Mr. John Burton hired Mr. Norris on or about June 22, 2017, to draft a revocation of a power of attorney and to draft a new general power of attorney for his father, James Burton ("Mr. James Burton").

132. In addition to drafting the documents, Mr. Norris agreed to meet with Mr. James Burton to execute the documents.

133. Mr. John Burton paid a \$750 nonrefundable flat fee to Mr. Norris.

134. Mr. John Burton attempted to reach Mr. Norris numerous times after signing his fee agreement, but did not receive a response and never spoke with Mr. Norris after the execution of his fee agreement.

135. Mr. Norris met with Mr. James Burton without Mr. John Burton being present.

136. Mr. Norris failed to clarify and confirm with Mr. James Burton that Mr. Norris represented his son, and that Mr. James Burton could consult with independent counsel if he chose.

137. Mr. James Burton advised Mr. Norris that he did not want his son to serve as his attorney in fact, because Mr. James Burton believed that his son had misappropriated funds from his bank accounts.

138. Mr. John Burton denies these allegations.

139. Mr. Norris did not notify Mr. John Burton of Mr. James Burton's claims about the alleged misappropriation of funds or the fact that Mr. James Burton did not want to revoke his existing power of attorney.

140. Mr. Norris referred Mr. James Burton to law enforcement and began his own independent investigation of Mr. James Burton's allegations.

141. Mr. John Burton has not been contacted by law enforcement.

142. Mr. Norris did not provide notice to Mr. John Burton of his temporary suspension, return his file, nor refund any portion of Mr. John Burton's fee.

143. Mr. Norris violated RPC 1.1 by failing to provide competent representation to Mr. John Burton.

144. Mr. Norris violated RPC 1.3 and RPC 1.4 by failing to diligently represent Mr. John Burton and communicate with Mr. John Burton about his case.

145. Mr. Norris violated RPC 1.16 (d) by abandoning Mr. John Burton, and by failing to take the steps necessary to protect Mr. John Burton's interests.

146. Mr. Norris violated RPC 3.2 by failing to expedite Mr. John Burton's case.

147. Mr. Norris violated RPC 8.1 (b) by failing to respond to an inquiry from the Board.

148. Mr. Norris' conduct violated RPC 8.4 (a) (misconduct), (d) (conduct prejudicial to the administration of justice) and (g) (knowingly violating his obligations set forth in the Order of Temporary Suspension).

File No. 55892c-1-SC – Complainant – Jonathan Caldwell

149. By letters dated May 15, 2018 and May 29, 2018, the Board informed Mr. Norris of the complaint filed against him by Johnathon Caldwell ("Mr. Caldwell"). (Supplemental Petition, Exhibit 1).

150. Mr. Norris never responded to Mr. Caldwell's complaint.

151. Mr. Caldwell's wife filed a divorce complaint against him on May 5, 2017.

152. After being served with the complaint, Mr. Caldwell retained Misty Burke ("Ms. Burke") to represent him.

153. Mr. Caldwell paid Ms. Burke a non-refundable fee of \$750.00 for the representation.

154. Ms. Burke filed an answer and counter-claim on May 31, 2017; however, Ms. Burke withdrew on June 1, 2017, after learning that she had a conflict of interest.

155. Mr. Norris agreed to take over the representation of Mr. Caldwell.

156. Mr. Norris never entered an appearance in the case; however, he did correspond with opposing counsel and Mr. Caldwell regarding dates for mediation.

157. On January 26, 2018, Mr. Norris was temporarily suspended from the practice of law for posing a substantial threat of harm to the public.

158. Mr. Norris has not been reinstated to the practice of law.

159. Mr. Norris failed to provide Mr. Caldwell with notice of his temporary suspension, provide Mr. Caldwell with his file, or refund any fees as required by the Order of Temporary Suspension and Tenn. Sup. Ct. R. 9, § 28.

160. Mr. Caldwell's file was returned to him by the receivers appointed to take such action as was necessary to protect the interest of clients, former clients, and the public.

File No. 56062-1-SC – Complainant– Jeremy Clarke

161. By letters dated April 13, 2018, and May 2, 2018, the Board informed Mr. Norris of a complaint filed against him by Jeremy Clarke (“Mr. Clarke”). (Supplemental Petition, Exhibit 2).

162. Mr. Norris never responded to Mr. Clarke’s complaint.

163. Mr. Norris agreed to represent Mr. Clarke on April 6, 2017 in defense of a DUI charge.

164. Mr. Clarke paid a total of \$2,250.00 to Mr. Norris during the representation.

165. \$750.00 of this fee was through a non-refundable fee agreement.

166. Mr. Norris failed to appear in Court on a plea negotiation docket in the fall of 2017.

167. Mr. Norris again failed to appear on three subsequent dockets.

168. Each time, the case was reset. Mr. Clarke’s charges were set for a plea docket on August 13, 2018.

169. Mr. Clarke has not retained successor counsel due to his indigency.

170. Mr. Clarke consulted with other counsel and was advised to ask the Court to have counsel appointed.

171. On January 26, 2018, Mr. Norris was temporarily suspended from the practice of law for posing a substantial threat of harm to the public.

172. Mr. Norris has not been reinstated to the practice of law.

173. Mr. Norris failed to provide Mr. Clarke with notice of his temporary suspension, provide Mr. Clarke with his file, or refund any fees as required by the Order of Temporary Suspension and Tenn. Sup. Ct. R. 9, § 28.

File No. 56310-1-SC – Complainant – Angie Fox

174. By letters dated March 26, 2018, April 11, 2018 and May 2, 2018, the Board informed Mr. Norris of the complaint filed against him by Angie Fox (“Ms. Fox”). (Supplemental Petition, Exhibit 3).

175. Mr. Norris agreed to represent Ms. Fox in filing a divorce action on August 1, 2016.

176. Ms. Fox agreed to pay a \$750.00 fee, but was only able to initially pay \$460.00.

177. This fee was accepted by Mr. Norris, and he agreed to begin the representation.

178. Mr. Norris filed Ms. Fox’s divorce action, but did not attempt service of process or take any further action in Ms. Fox’s case.

179. Ms. Fox heard nothing further from Mr. Norris and was unable to reach Mr. Norris by phone or after leaving messages at his office.

180. On January 26, 2018, Mr. Norris was temporarily suspended from the practice of law for posing a substantial threat of harm to the public.

181. Mr. Norris has not been reinstated to the practice of law.

182. Mr. Norris failed to provide Ms. Fox with notice of his temporary suspension, provide Ms. Fox with her file, or refund any unearned fees as required by the Order of Temporary Suspension and Tenn. Sup. Ct. R. 9, § 28.

CONCLUSIONS OF LAW

183. Pursuant to Tenn. Sup. Ct. R. 9, § 8.1, attorneys admitted to practice law in the State of Tennessee are subject to the disciplinary jurisdiction of the Supreme Court of Tennessee, the Board, the Panel, and the Circuit and Chancery Courts of Tennessee.

184. Pursuant to Tenn. Sup. Ct. R. 9, § 1, a license to practice law in the State of Tennessee is a privilege and it is the duty of every recipient of that privilege to act, at all times, both professionally and personally, in conformity with the standards imposed upon members of the Bar as conditions for the privilege to practice law.

185. Pursuant to Tenn. Sup. Ct. R. 9, § 11.1, acts or omissions by an attorney licensed to practice law in Tennessee which violate the Rules of Professional Conduct of the State of Tennessee constitute misconduct and are grounds for discipline.

186. Mr. Norris has failed to conduct himself in conformity with such standards and is guilty of acts and omissions in violation of the authorities cited *infra*.

187. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 1.1 by failing to provide competent representation to his clients.

188. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 1.3 by failing to act with reasonable diligence and promptness in representing his clients.

189. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 1.4 by failing to communicate with his clients, by failing to inform his clients of the status of their cases, and by failing to inform his clients of his temporary suspension.

190. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 1.5 by collecting

unreasonable fees when considering the lack of work he performed for his clients and by failing to return his clients' fees upon termination of his representation.

191. Based on the evidence presented, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 1.15 by failing to deposit and hold legal fees that were paid in advance into a trust account.

192. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 1.16 (d) by failing to notify his clients that he had withdrawn from representing them, and by failing to take those steps necessary to protect his clients' interests.

193. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 3.2 by failing to expedite litigation.

194. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a

preponderance of the evidence that Mr. Norris violated RPC 8.1 (b) by knowingly failing to respond to a lawful demand for information by the Board, requesting Mr. Norris to respond to the complaints made by his clients.

195. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 8.4 (a) by violating the Rules of Professional Conduct.

196. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 8.4 (d) by engaging in conduct that is prejudicial to the administration of justice by, among other things, failing to appear for numerous court hearings, some of which involved clients facing serious criminal charges, making incoherent legal arguments, and abandoning his clients without notification.

197. Based on the evidence presented at the Hearing, and based on the admissions of Mr. Norris due to his failure to respond to the Petition and the Supplemental Petition, the Panel finds that the Board has proven by a preponderance of the evidence that Mr. Norris violated RPC 8.4 (g) by knowingly failing to comply with the Order of Temporary Suspension by, among other things,

failing to notify his clients of his suspension pursuant to Tenn. Sup. Ct. R. 9 § 28.2, failing to return his clients files pursuant to Tenn. Sup. Ct. R. 9 § 28.5, failing to refund unearned fees pursuant to Tenn. Sup. Ct. R. 9 § 28.6, and failing to file an affidavit with the Board pursuant to Tenn. Sup. Ct. R. 9 § 28.9.

ABA STANDARDS

198. In determining the appropriate type of discipline, the Panel must consider the applicable provisions of the ABA Standards for Imposing Lawyer Sanctions ("ABA Standards"). Tenn. Sup. Ct. R. 9, § 15.4.

199. The Panel finds that the following ABA Standards are applicable in this matter:

3.0 In imposing a sanction after a finding of lawyer misconduct, [the Panel] should consider the following factors:

- (a) the duty violated;
- (b) the lawyer's mental state;
- (c) the potential or actual injury caused by the lawyer's misconduct; and
- (d) the existence of aggravating and mitigating factors.

4.4 LACK OF DILIGENCE

4.41 Disbarment is generally appropriate when:

- (a) a lawyer abandons the practice and causes serious or potentially serious injury to a client; or
- (b) a lawyer knowingly fails to perform services for a client and causes serious or potentially serious injury to a client; or
- (c) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.

4.5 LACK OF COMPETENCE

- 4.51 Disbarment is generally appropriate when a lawyer's course of conduct demonstrates that the lawyer does not understand the most fundamental legal doctrines or procedures, and the lawyer's conduct causes injury or potential injury to a client.

6.2 ABUSE OF THE LEGAL PROCESS

- 6.21 Disbarment is generally appropriate when a lawyer knowingly violates a court order or rule with the intent to obtain a benefit for the lawyer or another, and causes serious injury or potentially serious injury to a party or causes serious or potentially serious interference with a legal proceeding.

7.0 VIOLATIONS OF DUTIES OWED AS A PROFESSIONAL

- 7.1 Disbarment is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional with the intent to obtain a benefit for the lawyer or another, and causes serious or potentially serious injury to a client, the public, or the legal system.

8.0 PRIOR DISCIPLINE ORDERS

- 8.1 Disbarment is generally appropriate when a lawyer:
- (a) intentionally or knowingly violates the terms of a prior disciplinary order and such violation causes injury or potential injury to a client, the public, the legal system, or the profession;

AGGRAVATION AND MITIGATION (ABA STANDARDS - 9.0)

200. After misconduct has been established, aggravating and mitigating circumstances may be considered in deciding what sanction to impose.

AGGRAVATING AND MITIGATING FACTORS

201. Mr. Norris' violations reflect dishonest and selfish motives, justifying an increase in the degree of discipline to be imposed. (ABA Standards 9.22 (b).)

202. Mr. Norris' pattern of misconduct is an aggravating factor justifying an increase in the degree of discipline to be imposed. (ABA Standards 9.22 (c).)

203. Mr. Norris' multiple offenses is an aggravating factor justifying an increase in the degree of discipline to be imposed. (ABA Standards 9.22 (d).)

204. Mr. Norris' bad faith obstruction of disciplinary proceedings by failing to respond to lawful requests for information by the Board is an aggravating factor justifying an increase in the degree of discipline to be imposed. (ABA Standards 9.22 (e).)

205. Mr. Norris' refusal to acknowledge the wrongful nature of his conduct is an aggravating factor justifying an increase in the degree of discipline to be imposed. (ABA Standards 9.22 (g).)

206. The vulnerability of Mr. Norris' clients is an aggravating factor justifying an increase in the degree of discipline imposed. (ABA Standards 9.22 (h).)

207. Mr. Norris' indifference to making restitution is an aggravating factor justifying an increase in the degree of discipline imposed. (ABA Standards 9.22 (j).)

208. Mr. Norris' absence of a prior disciplinary record is a mitigating factor. (ABA Standards 9.32 (a).)

JUDGMENT

In light of the evidence presented by the Board and admitted in this matter, and after carefully considering the ABA Standards, including the aggravating and mitigating circumstances set forth above, the Panel hereby concludes that Mr. Norris' status as an attorney licensed to practice law in the State of Tennessee should be terminated. Accordingly, it is hereby **ADJUDGED, ORDERED** and **DECREED** that Mr. Norris shall be, and is, **DISBARRED** pursuant to Tenn. Sup. Ct. R. 9, § 12.1.

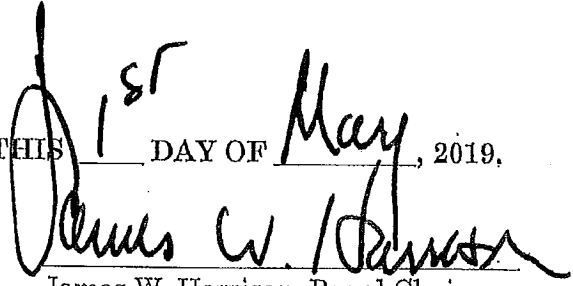
CONDITIONS

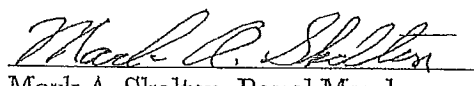
As a condition of any reinstatement to the practice of law in the State of Tennessee pursuant to Tenn. Sup. Ct. R. 30, Mr. Norris is first **ORDERED** to pay restitution to his former clients as set forth below:

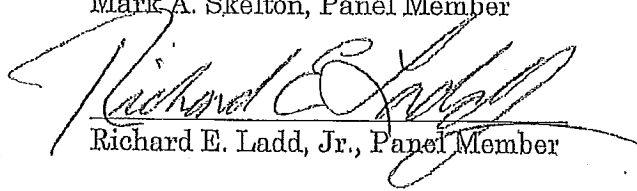
Emilee Townsend	\$1,500.00
Carl and Nancy Ballard	\$650.00
Kimberly Hammer	\$5,000.00
Dana Baird	\$6,000.00
John Burton	\$750.00
Jonathan Caldwell	\$750.00
Jeremy Clarke	\$2,250.00
Angie Fox	\$460.00

The costs of this cause shall be taxed against Mr. Norris following entry of this Judgment pursuant to the procedures established in Tenn. Sup. Ct. R. 9, § 31.3 (a).

IT IS SO ORDERED AND ENTERED THIS 1st DAY OF May, 2019.


James W. Harrison, Panel Chair


Mark A. Skelton, Panel Member

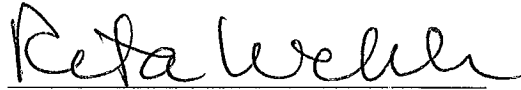

Richard E. Ladd, Jr., Panel Member

NOTICE OF APPEAL RIGHTS

PURSUANT TO TENN. SUP. CT. R. 9, § 33.1, THE RESPONDENT OR THE BOARD MAY APPEAL THE JUDGMENT OF THE PANEL BY FILING - WITHIN SIXTY (60) DAYS OF THE DATE OF ENTRY OF THE PANEL'S JUDGMENT - A PETITION FOR REVIEW IN THE CIRCUIT OR CHANCERY COURT OF THE COUNTY IN WHICH THE OFFICE OF THE RESPONDENT WAS LOCATED AT THE TIME THE CHARGES WERE FILED WITH THE BOARD.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been sent to Respondent, Gregory Scott Norris, 212 Mayflower Road, Johnson City, TN 37601, via U.S. First Class Mail, and hand-delivered to Jerry D. Morgan, Disciplinary Counsel, on this the 1st day of May, 2019.

A handwritten signature in black ink, appearing to read "Rita Webb", written over a horizontal line.

Rita Webb
Executive Secretary

NOTICE

This judgment may be appealed by filing a Petition for Review in the appropriate Circuit or Chancery Court in accordance with Tenn. Sup. Ct. R. 9, § 33.