

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

FILED  
2017 AUG 30 AM 10:25  
BOARD OF PROFESSIONAL  
RESPONSIBILITY  
*Lee*

IN RE: ]  
ALBERT FITZPATRICK OFFICER III, ] DOCKET No. 2017-2740-4-WM- 12.3  
Petitioner ]

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REPORT AND RECOMMENDATION

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This matter was heard on August 29, 2017, before a Panel of the Board of Professional Responsibility on the Petitioner's Request for Dissolution or Modification of Temporary Suspension. Now, based on the Petition; the Response by Disciplinary Counsel; testimony of the Petitioner; the August 28, 2017, letter from Laura McClendon, Executive Director of the Tennessee Lawyers Assistance Program; the Tennessee Lawyers Assistance Program Monitoring Agreement dated August 10, 2017; and the record,

The Panel finds that the Request is well taken and that the Petitioner has shown good cause for dissolution of the Order of Temporary Suspension, and therefore the Panel recommends that the Order of Temporary Suspension be dissolved subject to certain conditions:

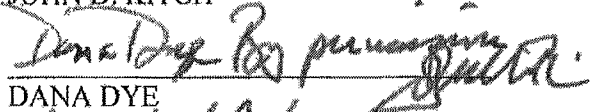
1. The voluntary agreement with TLAP should be made mandatory with a requirement that noncompliance with the agreement be reportable to the Board of Professional Responsibility;
2. The Petitioner must accept the recommendations of TLAP for ongoing conditions and monitoring;
3. The Petitioner must continue his compliance with the voluntary monitoring agreement currently in place, subject to any additional TLAP recommendations and the mandatory TLAP monitoring agreement.

4. Costs of this proceeding should be assessed against the Petitioner.

Respectfully submitted this the 30<sup>th</sup> day of August, 2017.



JOHN D. KITCH



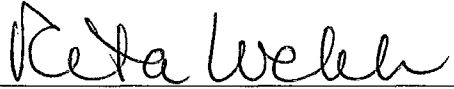
DANA DYE



W. MICHAEL CORLEY

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing has been sent to Petitioner, Albert Fitzpatrick Officer, III, 707 Curtis Norrod Road, Rickman, TN 38580, and [aofficer3d@gmail.com](mailto:aofficer3d@gmail.com), by electronic mail and U.S. First Class Mail, and hand-delivered to William C. Moody, Disciplinary Counsel, on this the 30th day of August, 2017.



Rita Webb  
Executive Secretary

**NOTICE**

**This judgment may be appealed pursuant to Tenn. Sup. Ct. R. 9, § 33 (2014) by filing a Petition for Review in the Circuit or Chancery court within sixty (60) days of the date of entry of the hearing panel's judgment.**