

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED 05/21/2020 Clerk of the Appellate Courts
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IN RE: DEON DEVALLO OWENSBY, BPR #023337
An Attorney Licensed to Practice Law in Tennessee
(Trenton, New Jersey)

No. M2020-00370-SC-BAR-BP
BOPR No. 2020-3083-0-BL-27

ORDER

On March 5, 2020, attorney Deon Devall Owensby filed with the Court a petition to transfer his law license to disability inactive status pursuant to Tennessee Supreme Court Rule 9, section 27.4. On March 27, 2020, this Court ordered Mr. Owensby to show cause why his petition should not be dismissed for failure to show by a preponderance of the evidence that he suffers from a current or ongoing disability or infirmity that prevents him from responding to or defending against the disciplinary proceeding pending against him. Upon a response filed by Mr. Owensby on April 16, 2020, the Court gave Mr. Owensby an additional twenty days to provide the requested documentation.

On May 11, 2020, Mr. Owensby provided further medical documentation. Upon review, the Court finds that the documentation submitted, in and of itself, is insufficient to show by a preponderance of the evidence that Mr. Owensby suffers from a current or ongoing disability or infirmity that prevents him from responding to or defending against the disciplinary proceeding pending against him.

However, in its discretion, the Court temporarily transfers Mr. Owensby to disability inactive status, pursuant to Tennessee Supreme Court Rule 9, section 27.4(a), until further order of this Court. At the same time, the Court refers this matter to a hearing panel for a formal hearing to determine Mr. Owensby's capacity to practice law and to respond to or defend against pending disciplinary charges. In such proceeding, the burden of proof shall rest upon Mr. Owensby and shall be by a preponderance of the evidence.

Under Tennessee Supreme Court Rule 9, section 27.4(b), any and all disciplinary proceedings are suspended until Mr. Owensby's disability inactive status is removed.

The Board shall publish notice of this transfer to disability status pursuant to Tennessee Supreme Court Rule 9, sections 27.5 and 28.11. Pursuant to Tennessee Supreme Court Rule 9, section 32.4, documents other than this Order relating to Mr.

Owensby's disability proceeding shall not be public records and shall be kept confidential.

IT IS SO ORDERED.

PER CURIAM