

**IN DISCIPLINARY DISTRICT 0
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

**IN RE: STEPHEN KENNETH PERRY,
BPR No. 022540, Respondent**

DOCKET NO. 2019-3026-0-AJ

JUDGMENT

This matter came on for a hearing on sanctions under section 15 of Tennessee Supreme Court Rule 9 on Tuesday, April 7, 2020. In accordance with the Panel's Notice of Telephone Hearing of March 18, 2020, and the Tennessee Supreme Court's order of March 27, 2020, the hearing was conducted by telephone. The Board was represented by Disciplinary Counsel Alan D. Johnson, who confirmed his consent to proceed by telephone. Respondent Stephen K. Perry did not attend.

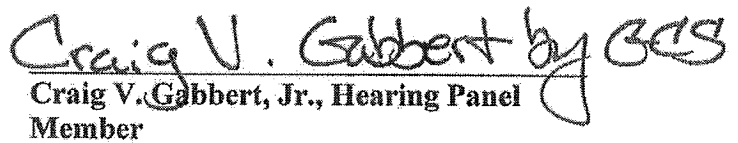
In an order of Default entered on March 10, 2020, the Panel found Respondent had committed violations of Rules of Professional Conduct as alleged in the Petition of July 30, 2019, including Rules 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.16(d) (declining or terminating representation), 3.2 (expediting litigation), 8.1(b) (failure to respond to disciplinary authority), and 8.4(a) (misconduct). As set out in the Board's pre-hearing brief of April 3, 2020, the applicable sanction under the ABA Standards for Imposing Lawyer Sanctions is suspension. The Panel finds that the aggravating and mitigating factors suggested by the Board are present on the record on default, including multiple offenses and substantial experience in the practice of law. Thus, the Panel agrees that the recommended suspension is the appropriate sanction.

Respondent's license to practice law in Tennessee has been suspended since January 2, 2019, under section 12 as a result of his failure to respond to the Board. The Panel finds that Respondent Stephen K. Perry should be suspended from the practice law for a period of two years, retroactive to January 2, 2019. As a condition of reinstatement under section 30.4(d)(7), Respondent shall pay restitution of \$3,500.00 to complainant Richard Anderson. Finally, the Panel recommends that Mr. Perry seek evaluation under the Lawyer's Assistance Program of the state in which he currently resides, for whose services he is eligible as a member of the Tennessee bar.

Enter pursuant to section 15.3(a) of Tennessee Supreme Court Rule 9.

Notice: The Hearing Panel's findings and judgment may be appealed under Tennessee Supreme Court Rule 9, section 33, by filing a Petition for Review in the circuit or chancery court within sixty (60) days of the entry of this Judgment.


Gary C. Shockley, Chair


Craig V. Gabbert, Jr., Hearing Panel
Member


Jad A. Duncan, Hearing Panel Member

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been sent to Respondent, Stephen Kenneth Perry, 6205 Tally Ho Lane, Alexandria, VA 22307, via U.S. First Class Mail, and hand-delivered to Alan Johnson, Disciplinary Counsel, on this the 29th of May, 2020.



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.