

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE: MARSHALL SCOTT SMITH, BPR # 9257**

An Attorney Licensed to Practice Law in Tennessee  
(Madison County)

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**No. M2016-02294-SC-BAR-BP**  
BOPR No. 2015-2459-7-AJ

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against Marshall Scott Smith on May 29, 2015; upon Answer to Petition for Discipline filed on July 2, 2015; upon a Supplemental Petition for Discipline filed against Marshall Scott Smith on November 3, 2015; upon Answer to Supplemental Petition for Discipline filed on December 28, 2015; upon the Judgment of the Hearing Panel entered on September 6, 2016; upon service of the Judgment on Mr. Smith by the Executive Secretary of the Board on September 6, 2016; upon the Order Assessing of Costs entered October 5, 2016; upon service of the Order assessing costs on Mr. Smith by the Executive Secretary of the Board on October 5, 2016; upon consideration and approval by the Board on November 3, 2016; upon agreement by the parties that they will not seek appeal; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Findings of Fact and Conclusions of Law as the Court's Order.

On April 14, 2015, Mr. Smith was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2014-01915-SC-BAR-BP). To date, Mr. Smith has not requested, nor been granted reinstatement.

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

(1) Mr. Smith be disbarred from the practice of law and must pay restitution as a condition of reinstatement.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7, and as a condition precedent to any reinstatement, Mr. Smith shall make restitution to the following individuals 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. Smith shall reimburse TLFCP in the same amount:

- Vernetha Morrow - \$4,536.83
- Teresa Williams - \$11,500.00
- Niki McLemore - \$4,854.24
- Holly Rice - \$1,860.00

(3) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Smith shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$802.15 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.

(5) Further, the Order of Temporary Suspension entered on April 14, 2015, in Case No. M2014-01915-SC-BAR-BP is hereby dissolved.

(6) 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