



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
IN RE: C. LEANN SMITH, BPR #18899
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BOARD OF PROFESSIONAL RESPONSIBILITY
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December 28, 2005

NASHVILLE ATTORNEY CENSURED

C. LeAnn Smith, a Nashville attorney, received a public censure by the Board of Professional Responsibility on December 27, 2005. The Board considered the matter at its regular meeting and determined that a public censure was appropriate discipline in the matter. Notice of the proposed censure was mailed to the attorney pursuant to Tennessee Supreme Court Rule 9, section 8.1. No objection was filed by the attorney within the time set by the rule and the censure is now final.

Ms. Smith failed to file a timely notice of appeal for her client in a criminal case. On February 4, 2004, Smith filed a motion to be allowed to file a late notice of appeal. On February 25, 2004, the Court of Criminal Appeals entered an order allowing ten days to file a notice of appeal. No notice of appeal was filed within the ten day period. Subsequent proceedings were not successful in reinstating the right of appeal. The client lost an appeal of right as a result of the failure to timely file a notice.

The Board of Professional Responsibility found that Ms. Smith violated RPC 1.1 [duty of competent representation]; RPC 1.3 [duty of diligence and promptness]; RPC 1.4 [client communication] and, RPC 8.4(d) [conduct prejudicial to the administration of justice.]

A public censure is a form of public discipline that declares the conduct of the lawyer to be improper but does not limit the lawyer's right to practice law. The Rules of Professional Conduct are mandatory and they state a minimum level of acceptable conduct.

Smith 27104-5 rel.doc

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