

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE  
FOR THE THIRTIETH JUDICIAL DISTRICT  
AT MEMPHIS

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PAUL JAMES SPRINGER,

Petitioner,

vs.

No. CH-18-0528  
BOPR No. 2015-2460-9-AW

THE BOARD OF PROFESSIONAL  
RESPONSIBILITY OF THE SUPREME  
COURT OF TENNESSEE,

Respondent.

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**ORDER DENYING PETITIONER'S MOTION FOR EXTENSION AND ORDER  
DISMISSING APPEAL**

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Petitioner, Mr. Paul Springer, moves the Court for an extension of time to file a brief in support of his writ of certiorari. For the reasons hereinafter set forth, the motion is DENIED.

**FACTS AND PROCEDURAL HISTORY**

On September 14, 2017, the Board of Professional Responsibility's Hearing Panel (hereinafter "Panel") heard this case. The underlying facts involved Mr. Springer's alleged misconduct evolving from complaints filed by Tiska Guess, Ruby Hailey, and Frank Graham. On December 11, 2017, the Panel unanimously found that Mr. Springer committed disciplinary misconduct and should be disbarred from the practice of law pursuant to Tennessee Supreme Court Rule 9 section 12.1.

Mr. Springer timely appealed this case to this Court on April 9, 2018. On April 30, 2018, the Tennessee Supreme Court designated Judge Acree to hear this case.

Mr. Springer has been the subject of four disciplinary proceedings. The statuses of those proceedings are as follows:

1. BOPR No. 2012-2170-9-SG (Sup. Ct. Docket No. M206-01120-SC-BAR-BP)  
The Supreme Court dismissed Mr. Springer's appeal for his failure to comply with Rule 11(h) of the Tennessee Rules of Appellate Procedure or respond to the show cause order. Mr. Springer is currently suspended from the practice of law pursuant to the Order of Enforcement entered June 23, 2016, and the matter is final.
2. BOPR No. 2015-2460-9-AW (Chancery Ct. No. CH-15-0520)  
This Disciplinary case is presently before this Court on a Petition for Certiorari filed electronically on April 9, 2018. The Order on Disciplinary Hearing disbaring Mr. Springer was entered by the Hearing Panel on December 11, 2017.
3. BOPR No. 2015-2683-9-AQ (Sup Ct. Docket No. M2018-01730-SC-BAR-BP)  
An Order of Enforcement disbaring Mr. Springer was entered October 2, 2018. Mr. Springer filed an emergency motion to set aside the Order of Enforcement on October 5, 2018, and the Board filed a response in opposition on October 10, 2018. [The Motion was denied on October 15, 2018.]
4. BOPR No. 2015-2760-9-AW  
A Petition for Discipline was filed August 14, 2017. A Supplemental Petition for Discipline was filed November 13, 2017. A Second Supplemental Petition was filed April 12, 2018. A Hearing Panel was appointed March 1, 2018, and assigned to hear the three (3) Petitions containing a total of five (5) disciplinary complaints. A default judgment on the Petition for Discipline and Supplemental Petition for Discipline was entered March 23, 2018. A default judgment on the Second Supplemental Petition for Discipline was entered July 16, 2018. [The matter was tried on October 19, 2018, after the Hearing Panel denied Mr. Springer's request for a continuance. Mr. Springer did not participate in the final hearing. The Hearing Panel requested the Board submit findings of fact and conclusions of law.<sup>1</sup>]

On July 10, 2018, following a telephonic status conference, this Court entered a Scheduling Order which stated:

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<sup>1</sup> On October 30, 2018, counsel for the Board advised the Court via email regarding the updated status of said case.

5. The Petitioner shall file his brief by September 25, 2018.
6. The Respondent shall file its brief by October 16, 2018.
7. The Petitioner may file a rebuttal brief by October 30, 2018.
8. A Hearing on the brief shall be on November 6, 2018, at 10:00 a.m. (CST) in Shelby County at a court to be determined.

*See* Scheduling Order, page 1, entered July 10, 2018.

### ANALYSIS

The Scheduling Order mandated that Mr. Springer's brief must be filed by September 25, 2018. On the eve of this deadline, September 24, 2018, Mr. Springer filed the instant motion asserting an extension is necessary for the following reasons:

That [Mr. Springer] has been assisting in caring for his young daughter who is expecting her first child any day now.

That [Mr. Springer] has recently had to move from his office and relocate all of his files and belongings to a storage facility and is still in the process of gathering all of the information and documents to properly address all issues in his hearing brief.

That [Mr. Springer] is in need of additional time to complete the brief and properly address all appellate issues.

That during this same period of time, [Mr. Springer] is addressing another pending Petition.

That [Mr. Springer] is still litigating previous petitions and is in need of additional time to gather information and prepare a proper brief.

Mr. Springer has not asserted a valid basis either in fact or in law for an extension to file his brief. To date, more than one month past the mandated deadline, Mr. Springer has not filed or tendered a brief in support of his writ of certiorari. Further, considering the facts and circumstances surrounding the present case, including the fact that he is already disbarred, the Court finds that it would be futile to grant Petitioner's motion. Accordingly, this Court finds that the Motion for Extension is DENIED.

The Court also finds that because of the petitioner's failure to timely file his brief in accordance with the Court's Scheduling Order, the appeal should be DISMISSED with the costs assessed to the Petitioner.

IT IS SO ORDERED this the 31 day of October, 2018.

  
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WILLIAM B. ACREE, JR.  
Senior Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been delivered to the following at their respective addresses, this \_\_\_\_\_ day of \_\_\_\_\_, 2018:

– *Petitioner, Pro Se*  
Paul James Springer  
4971 Le Chateau Cove  
Memphis, TN 38125  
(901) 359-1993

– *Attorney for Defendant*  
A. Russell Willis  
Disciplinary Counsel—Litigation  
Board of Professional Responsibility  
10 Cadillac Drive, Suite 220  
Brentwood, TN 37027  
(615) 695-0951

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CLERK