



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

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BRENTWOOD, TENNESSEE 37027
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RELEASE OF INFORMATION
RE: BRETT B. STEIN, BPR #004800
CONTACT: EILEEN BURKHALTER SMITH
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

May 17, 2022

SHELBY COUNTY LAWYER CENSURED

On May 16, 2022, Brett B. Stein, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Stein was hired to file a petition for *habeas corpus* relief in federal court in Mississippi, in a court in which he is not admitted to practice law. Mr. Stein failed to adequately supervise a junior attorney's preparation of the *habeas corpus* petition and an accompanying motion for *pro hac vice* admission. Mr. Stein failed to discover that the motion for *pro hac vice* was denied the day after it was filed for failure to comply with court requirements, and Mr. Stein failed to inform the client of the status of the matter. The client suffered potential harm.

By these acts, Mr. Stein, has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), and 5.1 (responsibilities of supervisory lawyers) and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Stein 66758c-9 rel.doc

IN DISCIPLINARY DISTRICT IX
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: Brett B. Stein, #004800
Respondent, an attorney licensed
to practice law in Tennessee
(Shelby County)

FILE NO. 66758c-9-ES

PUBLIC CENSURE

The above complaint was filed against Brett B. Stein, #004800, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered this matter at its meeting on March 11, 2022.

Mr. Stein was hired to file a petition for *habeas corpus* relief in federal court in Mississippi, in a court in which he is not admitted to practice law. Mr. Stein failed to adequately supervise a junior attorney's preparation of the *habeas corpus* petition and an accompanying motion for *pro hac vice* admission. Mr. Stein failed to discover that the motion for *pro hac vice* was denied the day after it was filed for failure to comply with court requirements, and Mr. Stein failed to inform the client of the status of the matter. The client suffered potential harm.

By these acts, Mr. Stein is in violation of Rules of Professional Conduct 1.3 (diligence), 1.4 (communication) and 5.1 (responsibilities of supervisory lawyers). Mr. Stein is hereby Publicly Censured for these violations.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY

Floyd S Flippin

Floyd Flippin, Chair

5.16.22

Date