



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

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RELEASE OF INFORMATION
RE: KIMBERLY OGDEN SUTTON, BPR #025715
CONTACT: JERRY MORGAN
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

September 11, 2020

TENNESSEE LAWYER PERMANENTLY DISBARRED

Effective September 11, 2020, the Tennessee Supreme Court permanently disbarred Kimberly Ogden Sutton of Bentonville, Arkansas from the practice of law. Ms. Sutton consented to disbarment because she could not successfully defend the charges alleged in complaints filed against her with the Board.

Ms. Sutton represented six clients in immigration related matters. Ms. Sutton was paid to provide legal services but failed to complete such services. Ms. Sutton collected fees which were not yet earned, and which should have remained in her trust account. Ms. Sutton effectively terminated her representation of the clients without notification to them and without returning client files or unearned fees. Ms. Sutton abandoned her legal practice without providing sufficient client protection. Ms. Sutton failed to respond to the disciplinary complaints filed against her and was temporarily suspended as a result. Ms. Sutton failed to comply with the notification requirements of suspended attorneys.

Ms. Sutton's ethical misconduct violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.15 (safekeeping property), 1.16 (terminating representation), 3.4(c) (disobeying obligations under rules of a tribunal), 8.1 (disciplinary matters), and 8.4(a) and (d) (misconduct).

Ms. Sutton must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30.4, regarding the obligations and responsibilities of disbarred attorneys.

Sutton 3099-0 rel2.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE



IN RE: KIMBERLY OGDEN SUTTON, BPR #025715

An Attorney Licensed to Practice Law in Tennessee
(Bentonville, Arkansas)

No. M2020-01188-SC-BAR-BP
BOPR No. 2020-3099-0-JM-12.3

ORDER OF ENFORCEMENT

This cause is before the Court upon a Notice of Submission filed by the Board of Professional Responsibility providing notice pursuant to Tenn. Sup. Ct. R. 9 § 23 of the affidavit of Kimberly Ogden Sutton, consenting to disbarment. Ms. Sutton is an attorney licensed to practice law in the State of Tennessee and is subject to the disciplinary jurisdiction of the Supreme Court of Tennessee, pursuant to Rule 9 of the Rules of the Supreme Court of Tennessee.

Ms. Sutton has delivered to the Board of Professional Responsibility an affidavit in compliance with Tenn. Sup. Ct. R. 9, § 23.1. Ms. Sutton has consented to disbarment because she cannot successfully defend herself against charges detailed in pending disciplinary Board File Nos. 62759c-0-KB and 63729c-0-KB.

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

- (1) Kimberly Ogden Sutton is hereby disbarred from the practice of law in Tennessee.
- (2) This Order of Enforcement shall be a matter of public record.
- (3) Pursuant to Tenn. Sup. Ct. R. 9, § 23.3, the affidavit filed by Kimberly Ogden Sutton shall not be publicly disclosed or made available for use in any other proceeding except upon further Order of this Court.
- (4) Ms. Sutton shall pay to the Clerk of this Court the costs incurred herein, for which execution, if necessary, may issue.
- (5) The Board of Professional Responsibility shall cause notice of this disbarment to be published in accordance with Tenn. Sup. Ct. R. 9, § 28.11.

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

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE



IN RE: KIMBERLY OGDEN SUTTON, BPR #025715

An Attorney Licensed to Practice Law in Tennessee
(Bentonville, Arkansas)

No. M2020-01188-SC-BAR-BP
BOPR No. 2020-3099-0-JM-12.3

AMENDED ORDER OF ENFORCEMENT

This cause is before the Court upon a Notice of Submission filed by the Board of Professional Responsibility providing notice pursuant to Tenn. Sup. Ct. R. 9 § 23 of the affidavit of Kimberly Ogden Sutton, consenting to disbarment. Ms. Sutton is an attorney licensed to practice law in the State of Tennessee and is subject to the disciplinary jurisdiction of the Supreme Court of Tennessee, pursuant to Rule 9 of the Rules of the Supreme Court of Tennessee.

Ms. Sutton has delivered to the Board of Professional Responsibility an affidavit in compliance with Tenn. Sup. Ct. R. 9, § 23.1. Ms. Sutton has consented to disbarment because she cannot successfully defend herself against charges detailed in pending disciplinary Board File Nos. 62759c-0-KB, 63729c-0-KB, 64590c-0-KB, 64703-0-KB, 64706-0-KB, 64707-0-KB, and 65133-0-KB.

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

- (1) Kimberly Ogden Sutton is hereby permanently disbarred from the practice of law in Tennessee.
- (2) This Amended Order of Enforcement shall be a matter of public record.
- (3) Pursuant to Tenn. Sup. Ct. R. 9, § 23.3, the affidavit filed by Kimberly Ogden Sutton shall not be publicly disclosed or made available for use in any other proceeding except upon further Order of this Court.
- (4) Ms. Sutton shall pay to the Clerk of this Court the costs incurred herein, for which execution, if necessary, may issue.

(5) The Board of Professional Responsibility shall cause notice of this disbarment to be published in accordance with Tenn. Sup. Ct. R. 9, § 28.11.

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

PER CURIAM