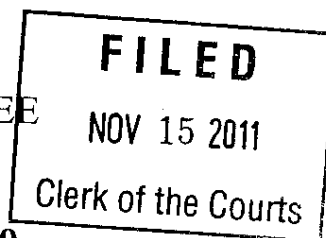


IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE



**WILLIAM LEE WHEATLEY, BPR #022339**  
An Attorney Licensed to Practice Law in Tennessee  
(Knox County)

---

**No. M2010-01900-SC-BPR-BP**  
BOPR No. 2010-1972-2-KH(4.3)

---

**ORDER**

On September 10, 2010, the Court entered an Order of Temporary Suspension suspending William Lee Wheatley pursuant to Section 4.3 of Rule 9, Rules of the Supreme Court due to Mr. Wheatley's noncompliance with his Tennessee Lawyer's Assistance Program (TLAP) Monitoring Agreement. On approximately September 12, 2011, Mr. Wheatley filed a Petition for Reinstatement.

On November 1, 2011, a hearing was conducted before a three-member Hearing Panel of the Board of Professional Responsibility. On November 4, 2011, the Hearing Panel entered its Order recommending that the temporary suspension be dissolved subject to conditions outlined in the Hearing Panel's Order. A copy of the Order is attached hereto and incorporated herein by reference.

It is, therefore, ordered, adjudged, and decreed by the Court:

1. The temporary suspension imposed upon William Lee Wheatley by Order of Temporary Suspension filed September 10, 2010, is hereby dissolved and William Lee Wheatley is reinstated to the practice of law subject to the following conditions:

- (a) Mr. Wheatley's three (3) year monitoring agreement with TLAP be extended to a five (5) year agreement; and
- (b) Mr. Wheatley is required to remain in strict compliance with his monitoring agreement for its duration.

2. Mr. Wheatley shall reimburse and pay to the Board of Professional Responsibility the costs and expenses of this proceeding in the amount of \$200 and, in addition, shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days, for all of which execution shall issue, if necessary.

FOR THE COURT:



---

WILLIAM C. KOCH, JR., JUSTICE

FILED

2011 NOV -4 PM 3:41

BOARD OF PROFESSIONAL  
RESPONSIBILITY

*lew*  
EXEC. SEC.

IN THE SUPREME COURT OF TENNESSEE

AT NASHVILLE

IN RE: WILLIAM LEE WHEATLEY, BPR NO. 022339

An Attorney Licensed To Practice Law in Tennessee

(Knox County)

No.: M2010-01900-SC-BRP-BP  
BOPR No. 2010-1972-2-KH (4.3)

---

REPORT AND RECOMMENDATION OF  
HEARING PANEL

---

This matter came on to be heard on the 1<sup>st</sup> day of November, 2011, at the Historic Courthouse and Post Office, Appellate Courtroom, 2<sup>nd</sup> Floor, 585 Main Street, Knoxville, Tennessee, before a Panel consisting of Eleanor Yoakum, Member, Board of Professional Responsibility, Wade Davies, Esq., Member, Board of Professional Responsibility, and William C. Bovender, Esq., Member, Board of Professional Responsibility. Mr. Bovender served as Panel Chair.

The matter before the Panel concerned the Petition of William Lee Wheatley, seeking dissolution of an Order of Temporary Suspension issued by the Tennessee Supreme Court on September 10, 2010, pursuant to Rule 9, Section 4.3 of the Rules of the Supreme Court of Tennessee.

Mr. Wheatley appeared pro se. Sandy Garrett, Senior Litigation Counsel, appeared as Disciplinary Counsel on behalf of the Board of Professional Responsibility.

Based on the documents contained in the litigation file, the Petition of Mr. Wheatley, the sworn testimony of Mr. Wheatley and his witness, Mr. Ted Rice, Deputy Director, Tennessee Lawyers Assistance Program ("TLAP"), the statements and argument of Mr. Wheatley and Disciplinary Counsel Garrett, and the responses to questions posed to Mr. Wheatley and Mr. Rice, by Disciplinary Counsel Garrett and the Panel, the Panel makes the following findings:

**A. FINDINGS OF FACT**

Solely as to the Rule 9, Section 4.3 suspension of Petitioner Wheatley at issue in this proceeding:

1. The suspension of Petitioner Wheatley arose when Petitioner was discharged by TLAP from a TLAP Monitoring Agreement (dated July 7, 2009) because of substantial non-compliance on August 16, 2010.
2. The BPR was notified by TLAP of Petitioner's substantial non-compliance on August 16, 2010.
3. Authorization was received by Disciplinary Counsel from the Chair of the BPR to file a Petition for Temporary Suspension on September 9, 2010.
4. Petitioner was suspended by the Supreme Court by Order filed September 10, 2010.
5. Petitioner contacted TLAP to determine what would be required of him to allow him to seek a dissolution of the Order of Suspension, from TLAP's perspective.

6. TLAP advised Petitioner he needed to successfully complete an in-patient drug rehabilitation program and enter into a new monitoring agreement with TLAP and remain in strict compliance.

7. Petitioner entered the Crossroads of Hope residential rehabilitation program in Shelby, NC, on or about November 3, 2010, and completed said program to the satisfaction of TLAP in January, 2011.

8. Petitioner then entered into a new three (3) year monitoring agreement with TLAP on February 12, 2011.

9. At the Hearing, Ted Rice, Deputy Director of TLAP, confirmed Petitioner was in full compliance with the terms and conditions of said February 12, 2011 monitoring agreement.

10. Deputy Director Rice testified that should the Panel recommend to the Supreme Court that the temporary suspension be dissolved, that, in his opinion, it would be in the best interest of Petitioner that the three year monitoring agreement entered into February 11, 2011, be extended to five (5) years and that Petitioner should be required to remain in strict compliance for the five (5) year period. Petitioner agreed with Mr. Rice's recommendation.

11. Petitioner remains subject to three other suspensions – failure to pay requisite fees, failure to meet continuing legal education requirements, and failure to respond to disciplinary complaints, none of which are the subject of this proceeding.

**B. RECOMMENDATIONS OF THE PANEL**

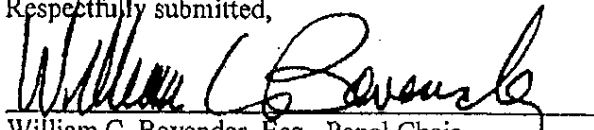
1. The Panel unanimously recommends to the Supreme Court of Tennessee that the Rule 9, Section 4.3 Suspension of Petitioner Wheatley be dissolved;

2. The Panel further recommends to the Supreme Court of Tennessee that the Rule 9, Section 4.3 Suspension of Petitioner Wheatley be dissolved on the conditions that (a) Petitioner's three (3) year monitoring agreement with TLAP be extended to a five (5) year agreement; and (b) that Petitioner be required to remain in strict compliance with said monitoring agreement for its duration.

These Recommendations are in no way related to any other suspensions Petitioner Wheatley may currently be subject to.

This the 4<sup>th</sup> day of November, 2011.

Respectfully submitted,

  
William C. Bovender, Esq., Panel Chair

  
Eleanor Yoakum, Panel Member

  
Wade Davies, Esq., Panel Member