FOR THE THIRTIETH JUDIO	CIAL DISTRICT AT MEMPINS
WILLIAM T. WINCHESTER,	APR 1 2 2011
Petitioner,	M.B
VS.	No. CH-10-1044-1
BOARD OF PROFESSIONAL RESPONSIBILITY OF THE SUPREME COURT OF TENNESSEE,	} }
Respondent.	}

IN THE CHANCERY COURT OF TENNESSEE

ORDER OF DISMISSAL

This matter came before this court on the Board of Professional Responsibility's Motion to Dismiss the Petition for Writ of Certiorari for lack of subject matter jurisdiction. In *Board of Professional Responsibility v. Cawood*, 330 S.W.3d 608 (Tenn. 2010), the Tennessee Supreme Court held that failure to follow the requirements of T.C.A. 27-8-106 deprives the trial court of jurisdiction to hear an appeal from a decision of a Hearing Panel of the Board of Professional Responsibility. In the case at bar, the Petition for Writ of Certiorari contains an oath, however, it does not contain a statement that the petition is the first application for a writ. According, the Petition for Writ of Certiorari fails to follow the requirements of T.C.A. 27-8-106 and this Court lacks subject matter jurisdiction to hear this matter.

It is hereby, ORDERED, ADJUDGED and DECREED that the petition for certiorari filed by William T. Winchester in this cause is DISMISSED for lack of subject matter jurisdiction. Costs are taxed to the Petitioner, William T. Winchester.

ENTERED ON THIS THE IZT DAY OF APRIL , 2011.

SENIOR JUDGE DONALD P. HARRIS

Submitted for Entry By:

Randall J. Spivey BPR #21704

Disciplinary Counsel / 10 Cadillac Drive, Suite 220

10 Cadillac Drive, Suite 2 Brentwood, TN 37027

(615) 361-7500

CERTIFICATE OF SERVICE

I certify I have served a copy of the foregoing proposed order upon Petitioner, William T. Winchester at 5625-F Pearl Drive, #320, Evansville, Indiana 47712, and his counsel Susannah E. Rourk, 2758 Union Hall Road, Clarksville, Tennessee 37040 on the _______day of April, 2011.

Randall J. Spivey