



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

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**RELEASE OF INFORMATION**  
**RE: WILLIAM T. WINCHESTER, BPR #21282**  
**CONTACT: KRISANN HODGES**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

June 18, 2013

**FORMER MEMPHIS ATTORNEY DISBARRED**

On May 21, 2013, the Tennessee Supreme Court entered an Order of Enforcement disbarring William T. Winchester, formerly of Memphis, Tennessee, from the practice of law. Mr. Winchester is also ordered to pay restitution to five (5) former clients. Since August 5, 2011, Mr. Winchester has been serving a two (2) year suspension from the practice of law in another case of misconduct. On December 3, 2010, Mr. Winchester was suspended for failure to pay professional privilege tax. On August 31, 2011, Mr. Winchester was suspended for failing to comply with continuing legal education requirements. To date, Mr. Winchester has not been reinstated from these suspensions.

The Board of Professional Responsibility filed a Petition for Discipline on February 25, 2010 against Mr. Winchester based upon ten (10) complaints of ethical misconduct alleging lack of diligence, lack of communication, incompetent representation, misrepresentations to clients, misrepresentations made to other lawyers, and misrepresentations made to the Board. Mr. Winchester also abandoned his law practice. A Hearing Panel determined that Mr. Winchester should be disbarred for his misconduct. Mr. Winchester's appeal of the Hearing Panel Judgment to the Chancery Court for Shelby County was dismissed.

Mr. Winchester's ethical misconduct violates Rules of Professional Conduct 1.3 (diligence); 1.4 (communication); 1.5 (fees); 1.15 (safekeeping property); 1.16 (declining and terminating representation); 8.1 (bar admission and disciplinary matters); and 8.4 (misconduct).

Mr. Winchester must comply in all respects with the requirements and obligations of disbarred attorneys as set forth in Tennessee Supreme Court Rule 9, Sections 18 and 19. He may not resume the practice of law until reinstated by further order of this Court.

Winchester 1902-9 rel.doc

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IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

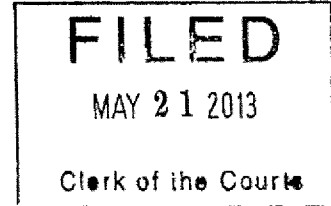
**WILLIAM T. WINCHESTER, BPR #21282**  
An Attorney Licensed to Practice Law in Tennessee  
(Evansville, Indiana)

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NO. M2013-01158-SC-BPR-BP

BOPR No. 2010-1902-9-RS

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed February 25, 2010 by the Board of Professional Responsibility ("Board") against William T. Winchester; upon Mr. Winchester's Answer to the Petition for Discipline filed on March 22, 2010; upon Motions to Dismiss and Motions for Summary Judgment filed by Mr. Winchester; upon the Board's Responses to the Motions to Dismiss and Motions for Summary Judgment; upon entry of an Order denying the Motions to Dismiss and Motions for Summary Judgment entered on October 22, 2010; upon Mr. Winchester's Objection to Proceeding with Final Hearing and Motion for Continuance filed December 20, 2010; upon the Panel's denial of the Motion to Continue and final hearing held on December 21, 2010; upon failure of Mr. Winchester to appear; upon Findings of Fact and Conclusions of Law and Judgment of the Panel entered on January 20, 2011; upon service of the Judgment on Mr. Winchester by the Executive Secretary for the Board on January 20, 2011; upon consideration and approval of the Board on March 11, 2011; upon Mr. Winchester's Writ of Certiorari filed on March 21, 2011; upon the Board's Motion to Dismiss for Failure to Prosecute on August 30, 2011; upon Mr. Winchester's Objection to Appointment of Judge Donald Harris; upon a Judgment entered by the Chancery Court on April 9, 2012; upon Mr. Winchester's Motion to Make Additional Findings of Fact and Motion to Alter or Amend filed May 8, 2012 and entry of the Chancery Court's Order denying same on September 12, 2012; upon the expiration of the time to appeal with no appeal taken; and upon the entire record in this cause.

From all of which the Court approves the Findings of Fact and Conclusions of Law and Judgment of the Hearing Panel and adopts the judgment of the Hearing Panel as the Court's Order.

On December 3, 2010, Mr. Winchester was suspended for failure to pay professional privilege tax. On August 31, 2011, Mr. Winchester was suspended for failing to comply with continuing legal education requirements. Further, by Order entered August 5, 2011, in Case No. M2011-01664-SC-BPO-BP, Mr. Winchester was suspended from the practice of law for two (2) years for disciplinary misconduct. To date, Mr. Winchester has not been reinstated from these suspensions.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that:

1. William T. Winchester is hereby disbarred from the practice of law pursuant to Tenn. Sup. Ct. R. 9, § 4.1.

2. Pursuant to Tenn. Sup. Ct. R. 9, § 4.7, Mr. Winchester shall pay restitution to the following individuals. Payment of restitution by Mr. Winchester shall be a condition precedent to reinstatement. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection ("TLFCP"), Mr. Winchester will be responsible for reimbursement to the TLFCP of the same amount.

- (a) Kristine Buck, \$500.00
- (b) Karen Edwards, \$500.00
- (c) John Holtzman, \$2,500.00
- (d) Anna Howard, \$1,500.00
- (e) Martin Ursery, \$3,000.00

3. Mr. Winchester shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 18 and 19 regarding the obligations and responsibilities of disbarred attorneys. Mr. Winchester must meet all CLE requirements, professional privilege tax requirements, and all registration requirements prior to reinstatement. Further, entry of this Order shall have no effect on the reinstatement requirements of Case No. M2011-01664-SC-BPO-BP.

4. Pursuant to Tenn. Sup. Ct. R. 9 § 18.5, this Order shall be effective ten (10) days after the date of entry.

5. Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. Winchester shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,32.89 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

6. The Board shall cause notice of this discipline to be published as required by Supreme Court Rule 9, Section 18.10.

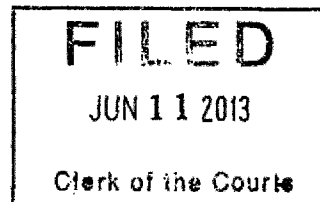
FOR THE COURT:

*Cornelia A. Clark*  
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CORNELIA A. CLARK, JUSTICE

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE: WILLIAM T. WINCHESTER, BPR #21282**  
An Attorney Licensed to Practice Law in Tennessee  
(Shelby County)

\_\_\_\_\_  
No. M2013-01158-SC-BPR-BP  
BOPR No. 2010-1902-9-RS  
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**AMENDED ORDER OF ENFORCEMENT**

This matter is before the Court upon the Board of Professional Responsibility's Motion to Alter or Amend Order of Enforcement.

From which the Court grants the Board's Motion to Alter or Amend and concludes that the Order of Enforcement should be amended.

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

1. The Order of Enforcement filed May 21, 2013 is amended to reflect that pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,432.89, and in addition, shall pay to the Clerk of this Court the costs incurred herein, for all of which execution may issue if necessary.

2. All other provisions of the Order of Enforcement entered May 21, 2013 remain in full force and effect.

FOR THE COURT

Cornelia A. Clark  
CORNELIA A. CLARK, JUSTICE