

**IN DISCIPLINARY DISTRICT III  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**

**IN RE: CHARLES GAMMONS WRIGHT, DOCKET NO. 2019-2961-3-WM**  
**BPR# 000915, Respondent**  
**An Attorney Licensed to**  
**Practice Law in Tennessee**  
**(Hamilton County)**

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**FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT**

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This matter came on for hearing on September 19, 2019 before a Hearing Panel consisting of Stephen Davis Crump, Panel Chair; Cameron Strawbridge Hill, Panel Member; and Philip McCarroll Jacobs, Panel Member. The Board of Professional Responsibility (the "Board") was represented by Travis M. Lampley. Mr. Wright was present for the hearing and represented himself.

**FINDINGS OF FACT**

1. Mr. Wright has substantial experience in the practice of law having been admitted in Tennessee in 1972.
2. Mr. Wright represented Dustin Orr in relation to an automobile accident.
3. Mr. Wright notified Mr. Orr of the statute of limitations expiration date.
4. As part of the representation of Mr. Orr, Mr. Wright drafted and sent a demand letter to MetLife on January 16, 2017.
5. Subsequent to mailing the demand letter to the insurance company, Mr. Orr terminated the legal services of Mr. Wright.
6. Upon being terminated by Mr. Orr, Mr. Wright did not notify MetLife that he no

longer represented Mr. Orr.

7. On March 27, 2017, MetLife sent a letter to Mr. Wright that contained a counter settlement offer to Mr. Orr's claim. (Exhibit 1).

8. Mr. Wright did not forward the March 27, 2017 counter settlement offer letter to Mr. Orr.

9. Mr. Wright did not notify Mr. Orr of the counter settlement offer.

10. Not until October 11, 2017, did Mr. Wright send a letter to MetLife notifying the insurance company that he no longer represented Mr. Orr. (Exhibit 2).

11. Mr. Wright failed to take practical steps to protect Mr. Orr's interests after being terminated by Mr. Orr.

12. Mr. Wright received a Private Reprimand from the Board on January 25, 1997 after being held in contempt by the Court of Criminal Appeals for failure to properly and timely file an appellate brief on behalf of his client. (Exhibit 3).

13. The Board submitted a certified copy of a Private Reprimand that was dated July 10, 2017, that indicates Mr. Wright was privately reprimanded for a trust account violation. Mr. Wright disputes the accuracy of this Private Reprimand. (Exhibit 4).

14. Mr. Wright was previously suspended from the practice of law for six (6) months beginning November 20, 1978.

### **CONCLUSIONS OF LAW**

1. Pursuant to Tenn. Sup. Ct. R. 9, § 8 (2014), attorneys admitted to practice law in Tennessee are subject to the disciplinary jurisdiction of the Supreme Court, the Board of Professional Responsibility, the Hearing Committee, hereinafter established, and the Circuit and Chancery Courts.

2. Pursuant to Tenn. Sup. Ct. R. 9, § 1 (2014), the license to practice law in this state is a privilege, and it is the duty of every recipient of that privilege to conduct himself or herself at all times in conformity with the standards imposed upon members of the bar as conditions for the privilege to practice law.

3. Pursuant to Tenn. Sup. Ct. R. 9, § 11 (2014), acts or omissions by an attorney, individually or in concert with any other person, which violate the Rules of Professional Conduct of the State of Tennessee constitute misconduct and grounds for discipline, whether or not the act or omission occurred in the course of an attorney-client relationship.

4. Mr. Wright did not timely notify the insurance company that he no longer represented Mr. Orr.

5. Mr. Wright did not forward the counter settlement offer to Mr. Orr.

6. Mr. Wright did not notify Mr. Orr of the counter settlement offer in any way.

7. Mr. Wright failed to protect Mr. Orr's interests after the representation ended.

8. Mr. Wright had a duty to take reasonably practicable steps to communicate the MetLife counter settlement offer to Mr. Orr.

9. Mr. Wright had a duty to timely notify the insurance company that he no longer represented Mr. Orr.

10. By failing to take reasonably practicable steps to protect Mr. Orr's interests, Mr. Wright violated RPC 1.16(d) (Declining or Terminating Representation).

11. The preponderance of the evidence establishes that Mr. Wright has committed the following violations of the Rules of Professional Conduct.

a. 1.16(d) (Declining or Terminating Representation).

b. Violation of the aforementioned Rule of Professional Conduct constitutes a violation of RPC 8.4(a) (Misconduct).

10. The Board has the burden of proving violations of the Rules of Professional Conduct by a preponderance of the evidence. The Board has carried its burden and proven the aforementioned violations of the Rules of Professional Conduct by a preponderance of the evidence.

11. Once disciplinary violations have been established, the Panel shall consider the applicable provisions of ABA Standards for Imposing Lawyer Sanctions.

12. Prior to consideration of any aggravating or mitigating circumstances, the following ABA Standards apply to this case:

4.43 Reprimand [Public Censure] is generally appropriate when a lawyer is negligent and does not act with reasonable diligence in representing a client, and causes injury or potential injury to a client.

4.63 Reprimand [Public Censure] is generally appropriate when a lawyer negligently fails to provide a client with accurate or complete information, and causes injury or potential injury to the client.

7.3 Reprimand [Public Censure] is generally appropriate when a lawyer negligently engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public or the legal system.

13. Pursuant to ABA Standard 9.22, the following aggravating factors are present in this case:

- (a) prior disciplinary offense;
- (b) substantial experience in the practice of law.

14. No mitigating factors were presented in this case.


15. Based upon the evidence and admissions in this matter, the Panel finds that a Public Censure is the appropriate discipline.


**JUDGMENT**

In light of the Findings of Fact and Conclusions of Law and the aggravating factors set forth above, the Hearing Panel hereby finds that Mr. Wright should receive a Public Censure.

IT IS SO ORDERED.

  
Stephen Davis Crump, Panel Chair

  
Cameron Strawbridge Hill, Panel Member


  
Philip McCarroll Jacobs, Panel Member

**NOTICE TO RESPONDENT**

This judgment may be appealed by filing a Petition for Review in the appropriate Circuit or Chancery Court in accordance with Tenn. Sup. Ct. R. 9, § 33.

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing has been sent to Respondent, Charles Gammons Wright, 3100 Brainerd Road, Chattanooga, TN 37411, by U.S. First Class Mail, and hand-delivered to Travis M. Lampley, Disciplinary Counsel, on this the 4<sup>th</sup> day of November, 2019.

A handwritten signature in cursive script, appearing to read "Rita Webb", written over a horizontal line.

Rita Webb  
Executive Secretary

**NOTICE**

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