



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: MARK WESLEY HENDERSON, #11525
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BOARD OF PROFESSIONAL RESPONSIBILITY
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December 2, 2003

LEBANON ATTORNEY SUSPENDED

On November 26, 2003, the Supreme Court of Tennessee entered an Order denying Mark Henderson's Petition to Rehear and granting Henderson's Motion to Stay Judgment suspending Henderson from the practice of law for a period of six months.

On July 20, 1999, the Board of Professional Responsibility filed a petition for discipline against Henderson. After a hearing on February 21, 2001, a hearing panel recommended Henderson be suspended from the practice of law for a period of six months. Henderson filed a petition for certiorari in the Chancery Court for Sumner County appealing the Hearing Panel's decision. On February 12, 2002, the Chancery Court granted the Board of Professional Responsibility's motion to dismiss Henderson's petition for certiorari due to Henderson's failure to file a complete transcript. Henderson filed a Motion to Alter or Amend the Judgment which was denied by the Chancery Court on September 13, 2002. Henderson appealed to the Supreme Court and on October 30, 2003, the Supreme Court entered a judgment affirming the decision of the Chancery Court and suspending Henderson for six months from the practice of law.

Henderson filed a Petition to Stay and Petition to Rehear. On November 26, 2003, the Supreme Court entered an Order denying Henderson's Petition to Rehear. The Supreme Court granted Henderson's Motion to Stay giving Henderson until December 31, 2003, to conclude pending litigation and seek alternative employment during his suspension.

Henderson shall not use any indicia of lawyer, legal assistant or law clerk, nor maintain a presence where the practice of law is conducted during his six-month suspension. Section 18 of Tennessee Supreme Court Rule 9 requires Henderson to notify all clients that are being represented in pending matters; all co-counsel and opposing counsel of the Supreme Court's order suspending him. Section 18 of Rule 9, Rules of the Supreme Court also requires Henderson to deliver to his clients all papers or property to which they are entitled.

SG:mw
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