

Serial: [222542](#)

**IN THE SUPREME COURT OF MISSISSIPPI**

**No. 2018-BD-01238-SCT**

***THE MISSISSIPPI BAR***

**v.**

***KENNETH K. CRITES***

**ORDER**

¶1. This matter is before the Court, en banc, on the Mississippi Bar's petition to transfer attorney Kenneth K. Crites to disability inactive status.

¶2. Crites is a resident of Tennessee and was licensed to practice law in the State of Mississippi in 1985. He is a member of the Mississippi Bar, but is suspended for nonpayment of mandatory dues. Notwithstanding, Crites is subject to the disciplinary jurisdiction of the Supreme Court of Mississippi and its designated agencies.

¶3. On April 7, 2017, the Supreme Court of Tennessee, upon due consideration of documentation from Crites's medical-care provider, concluded that Crites is currently incapacitated from continuing the practice of law. Upon petition by the Tennessee Board of Professional Responsibility and pursuant to Tennessee Supreme Court Rule 9, Section 27.4, the Supreme Court of Tennessee indefinitely transferred Crites to disability inactive status until such time as the Supreme Court of Tennessee determines he is fit for practice and returns him to active status. Crites is allowed to petition for reinstatement to active status

pursuant to Tennessee Supreme Court Rule 9, Sections 27.5 and 28.11. *Kenneth Keenan Crites, BPR # 16384*, No. M2017-00697-SC-BAR-BP (Tenn. 2017).

¶4. As a result of Crites's indefinite transfer to disability inactive status in Tennessee, the Mississippi Bar initiated disciplinary proceedings against Crites under Rules 18 and 19 of the Rules of Discipline for the Mississippi State Bar on August 30, 2018. The Mississippi Bar seeks to immediately transfer Crites to disability inactive status in this jurisdiction until further order of this Court. The Mississippi Bar further requests that Crites pay the costs and expenses incurred in the filing of its petition.

¶5. On November 5, 2018, Crites filed his motion to stay proceedings in this Court, alleging that the Tennessee order was obtained through a violation of his Fourteenth Amendment due process rights. Crites claims that he intends to seek an injunction against the Tennessee order from the United States District Court for the Middle District of Tennessee. This, he believes, would materially affect this disciplinary proceeding.

¶6. Having carefully and fully considered the Mississippi Bar's petition, this Court finds that Crites's transfer to disability inactive status until further order of this Court is an appropriate sanction under Rule 13 of the Rules of Discipline for the Mississippi State Bar. *Miss. Bar v. Catron*, 918 So. 2d 1267 (Miss. 2005). This Court further finds that Crites's motion to stay is without merit and should be denied.

¶7. IT IS THEREFORE ORDERED that Crites's motion to stay is denied and that, effective upon the entry of this order and based on Rules 13, 18, and 19 of the Rules of Discipline for the Mississippi State Bar, Kenneth K. Crites is placed on disability inactive

status and is not permitted to practice law in the State of Mississippi until reinstatement of privileges by order of this Court. Subject to this Court's order, Crites must comply with the requirements set forth in Rule 11 of the Rules of Discipline for the Mississippi State Bar.

¶8. IT IS FURTHER ORDERED that Crites shall seek reinstatement pursuant to Rules 12 and 25 of the Rules of Discipline for the Mississippi State Bar should he seek to be reinstated to the practice of law in Mississippi.

¶9. IT IS FURTHER ORDERED that Crites remit the costs and expenses incurred in the filing of the Mississippi Bar's petition pursuant to Rule 27 of the Rules of Discipline for the Mississippi State Bar.

¶10. IT IS FURTHER ORDERED that the Clerk of the Court shall send copies of this order to Kenneth K. Crites and to the Mississippi Bar.

SO ORDERED, this the 8th day of January, 2019.

/s/ William L. Waller, Jr.

WILLIAM L. WALLER, JR.  
CHIEF JUSTICE  
FOR THE COURT