

Serial: **249156**

IN THE SUPREME COURT OF MISSISSIPPI

No. 2023-BD-00843-SCT

THE MISSISSIPPI BAR

FILED

Petitioner

v.

JAN 11 2024

RHETT R. RUSSELL

**OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS**

Respondent

ORDER

The Mississippi Bar petitions this Court to transfer attorney Rhett R. Russell to disability inactive status and seeks reimbursement for the costs associated with this proceeding. We grant in part and deny in part the petition.

Russell is a resident of the state of Mississippi and has been a licensed member of the Mississippi Bar since August 16, 1974. Previously, Russell initiated a request with the Tennessee Board of Professional Responsibility to transfer his Tennessee law license to disability inactive status. On May 17, 2023, after due consideration of Russell's medical documentation, the Supreme Court of Tennessee granted the transfer to indefinite disability inactive status until further order by the Court or when Russell petitions for reinstatement.

As a result of Russell's indefinite transfer to disability inactive status in Tennessee, the Mississippi Bar initiated proceedings under Rule 21(c) of the Rules of Discipline for the Mississippi State Bar. Pursuant to Rules 18-24 of the Rules of Discipline and the conclusive demonstration of disability by Russell's disability inactive status in Tennessee and the

medical documentation provided by the parties, we grant the Bar's petition to place Russell's Mississippi law license on disability inactive status.

Russell voluntarily sought to transfer his law license in Tennessee based on his medical condition, and he supports the Bar's request that this Court reclassify his Mississippi law license to disability inactive status. Given Russell's cooperation, however, and the Bar's failure to file a separate motion requesting a definite reimbursement amount for costs and expenses, the Bar's request for reimbursement is denied.

IT IS THEREFORE ORDERED that Rhett R. Russell shall not practice law, hold himself out as a lawyer, or render legal advice inside or outside of the state of Mississippi.

IT IS FURTHER ORDERED that Rhett R. Russell must notify in writing all of his clients with active matters pending that he is unable to practice law and advise all of them that he is unable to act as an attorney on their behalf; to return all files, funds, and any other client property or funds belonging to third parties related to representation of clients to clients or the counsel for such clients or third parties; to notify all parties opposite as well as courts and agencies in which he has active cases that he is unable to practice law; and to file a certificate with the Clerk of the Supreme Court that he has complied with these provisions within sixty (60) days of entry of the decision in this case.

IT IS FURTHER ORDERED that Rhett R. Russell may seek reinstatement to the practice of law in the State of Mississippi under Rule 24 of the Rules of Discipline, and all documentation related to this proceeding other than this Order shall not be public record and shall be kept confidential.

IT IS FURTHER ORDERED that the Mississippi Bar's request for reimbursement of costs and expenses is denied.

SO ORDERED, this the 8th day of January, 2024.

A handwritten signature in black ink, appearing to read "Dawn H. Beam", written over a horizontal line.

DAWN H. BEAM, JUSTICE

ALL JUSTICES AGREE.