



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: ROBERT B. GAIA, #16695
CONTACT: JESSE D. JOSEPH
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

September 10, 2007

FORMER MEMPHIS LAWYER CENSURED

Robert B. Gaia, formerly of Memphis and currently residing in Olive Branch, MS, was publicly censured by the Board of Professional Responsibility on August 30, 2007. The censure was issued by the Board pursuant to Rule 9, Section 8 of the Rules of the Tennessee Supreme Court. Gaia did not request a hearing on the matter.

In one complaint filed against Gaia as appointed counsel, Gaia admitted he did not file an application for permission to appeal to the Tennessee Supreme Court or move to withdraw in a timely fashion before the Court of Criminal Appeals after the Court's decision affirming the trial court's dismissal of the client's post-conviction petition. Gaia also failed to inform this client of the Court of Criminal Appeal's adverse decision, as the client learned about it 4 months later from other sources.

In a second complaint, the Court of Criminal Appeals adjudged Gaia to be in willful contempt for failing to file his brief after being granted 3 extensions of time over a 5 month period. Gaia also failed for a 4 month period, to pay his costs to the Appellate Court Clerk in this matter, and only did so after the Board received further correspondence from the Clerk's office.

In these complaints, the Board found that Gaia's conduct was prejudicial to the administration of justice, and that he did not move with reasonable diligence, communicate properly with his clients, or properly withdraw as counsel.

Gaia 29833-30006-9 rel.doc

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