



Gray Proctor Counsel

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Biography

An experienced and accomplished appellate practitioner, Gray also maintains a trial support practice focusing on novel issues likely to be appealed in multiple cases.

Gray has incorporated tax and tax-adjacent work into his general appellate and trial support practice since 2021.

Gray graduated from Vanderbilt University Law School, where he received the book award for criminal procedure. He served as a law clerk for federal judges in the Southern District of Texas, the Eastern District of Virginia, and the Fourth Circuit Court of Appeals before opening his solo appellate and trial support practice in 2012. He has been recognized as a board-certified appellate expert in Florida since 2021. He is also AV rated by Martindale-Hubbell, and recognized as an “elite” appellate practitioner by Florida Trend magazine.

During law school Gray worked closely with Professor Nancy King on her important empirical study of habeas corpus litigation in federal courts. He was also a member of the team that successfully petitioned for the reversal of the high-profile murder conviction of G'Dongalay Berry. After graduation, he also served as deputy director (under former U.S. Pardon Attorney Margaret Love) of the ABA's National Inventory of Collateral Consequences, an NIJ-funded project that classifies the various civil consequences citizens face in all 54 U.S. jurisdictions after conviction for a crime.

Gray is heavily involved in pro-bono and low-bono work. He has done several appeals with Florida's guardian ad litem program, and accepts appointments from federal courts in Florida under the Criminal Justice Act. He has also been appointed to represent two clients on death row in clemency proceedings. He has published several articles on postconviction procedure and prisoner's rights.

Education

- B.S. The University of Texas at Dallas (1998)
- M.A. University of New England (2004)
- J.D. Vanderbilt University (2007)

Bar Admissions

- State of Florida
- United States District Court, Northern District of Florida
- United States District Court, Middle District of Florida
- United States District Court, Southern District of Florida
- State of Georgia
- United States District Court, Southern District of Georgia
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Sixth Circuit
- United States Court of Appeals for the Eleventh Circuit
- United States Tax Court
- United States Supreme Court

Publications

Gray Proctor, “The Manor House Rule and the End of Consequential Damages for Insurance Policies,” Journal of the Florida Justice Association (May/June 2021).

Gray Proctor, “Summary Judgment, Scintillas, and Celotex: Reviewing the Federal Cases the Supreme Court is Considering Adopting in *Wilsonart, LLC v. Lopez*,” Journal of the Florida Justice Association (May/June 2020).

Gray Proctor, “Old Rule, Partially Retroactive, and No Remedy: Why Hurst Won't Help Many on Florida's Death Row,” 28 Fed. Sent. R. 316 (April 2016).

Gray Proctor, "[The New Role of Federal Habeas Courts in Guaranteeing the Right to Effective Assistance of Counsel](#)," Florida Bar Journal (July 2015).

Gray Proctor, "[Whiteside v. United States: Using 28 U.S.C. § 2255 to Correct Serious Guidelines Errors Based on New Law](#)," BNA Bloomberg Criminal Reporter (April 30, 2014).

Gray Proctor, "[Christmas Comes Early in the Eleventh Circuit: Using Bryant and 28 U.S.C. § 2241 When Section 2255 is Inadequate to Challenge Illegally Enhanced Sentences](#)," BNA Bloomberg Criminal Law Reporter (January 22, 2014).

Gray Proctor, "[Habeas Review under 28 U.S.C. § 2254 after Martinez v. Ryan: Federalization and Forum Shopping for Ineffective Assistance of Counsel Claims](#)," BNA Bloomberg Criminal Law Reporter (December 5, 2012).

Gray Proctor and Nancy King, "[Post-Padilla: Padilla's Puzzles for Review in State and Federal Courts](#)," 23 Fed. Sent. R. 239 (2011).

Gray Proctor, "[Ngo Excuses: Proving, Rebutting, and Excusing Exhaustion in Prisoner Suits after Woodford v. Ngo and Jones v. Bock](#)," 31 Hamline L. Rev. 471 (2008).

Past Events

Speaker and Panelist, "[The 'Solo Practitioner': Pro Se Litigants and Their Obstacles to Justice](#)," Fordham Law School, January 25, 2011.

Representative Matters

Briefing support in consolidated 13-case trial of conservation easement donation partnership facing substantial tax and penalty liability.

Briefing and coordinating Jarkey Seventh Amendment and Article III issues across multiple cases in Tax Court, including representation of Center for Taxpayer Rights as amicus in Tax Court and in the Eleventh Circuit.

Issue support opposing retroactive application of Notice 2017-10.