

Stephens' Squibs

Family Law Case Law Updates

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2022 Annual Florida Family Case Law and Disciplinary Action Summary

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Note: For those paying attention, "Squib" is spelt with one "q", not two!

Eddie Stephens (Author), a sixth generation Floridian, is a partner in Stephens & Stevens, PLLC. Eddie is a Board Certified Family Law Attorney who specializes in high-conflict matrimonial law. He has earned the AV® Preeminent™ Peer Review Rating by Martindale-Hubbell, a professional rating indicating the highest ethical standards and professional ability.

With 25 years of litigation experience, Eddie specializes in high-conflict, high-asset divorce cases. Eddie focuses on helping clients with domestic legal issues such as property division, business valuation, child support and spousal support, child custody and visitation, post-judgment modifications, child relocation, same sex marriages, and both prenuptial and postnuptial agreements.

As a divorced father of two children, Eddie knows first hand what's at stake when counseling his clients. Eddie currently serves on the Board of Directors for the Center for Child Counseling, Inc. and Board of Governors of Leadership Palm Beach County.

Eddie is a past recipient of the Family Law Section Alberto Romero Making a Difference Award (2017), the Leadership Palm Beach County Leadership Excellence Award (2018) and most recently, the Families First of Palm Beach 2019 Harriet Goldstein Awardee (2019).

In addition to practicing family law, Eddie is an author, lecturer, and community leader who supports a number of local civic and charitable organizations. His hobbies include Jiu Jitsu, cooking, yoga, and spending time with his family. Eddie is happily married to Jacquie and has two children, Christopher and Matthew, and they all call Palm Beach, Florida home.

Caryn A. Stevens (Editor) is a Partner at the law firm of Stephens & Stevens, PLLC in West Palm Beach, where she focuses her practice exclusively in the areas of marital and family law. Prior to practicing law, Caryn spent over 12 years working in the mental health and counseling fields, as a mental health counselor in private practice, as a counselor for the Department of Children & Families, and later as an Elementary School Guidance Counselor. Caryn is a graduate of Florida State University, where she earned her Bachelors degree in Psychology, and her Masters and Specialist Degrees in Counseling & Human Services. Caryn received her Juris Doctorate from Nova Southeastern University, and received pro bono honors for her volunteer legal work.

In her prior work as a mental health counselor, Caryn had the unique opportunity to assist thousands of children, families and couples through difficult life circumstances, which allows her to bring a unique and compassionate perspective to the clients she represents. Caryn is a passionate advocate for her clients, and a skilled litigator in the courtroom.

In 2021, Caryn was honored with the prestigious Alberto Romero Making a Difference Award from the Family Law Section of the Florida Bar, recognizing her outstanding pro bono services and significant volunteer community activities that improve the lives of Florida's children and families. Caryn is currently the President of the Susan Greenberg Family Law Inn of Court of the Palm Beaches, is a graduate of the Leadership Palm Beach County Class of 2019, and currently serves on the Board of Directors of Herizon (formerly The Jewish Women's Foundation of the Greater Palm Beaches). Caryn has also served as mentor with the Women of Tomorrow Program for the past four years, mentoring at-risk high school women to live up to their full potential.

Caryn is a native South Floridian, and currently lives in Palm Beach County with her Husband, David, and their adorable Mini Aussie, Emma. She is a passionate fan of the Florida State Seminoles, and in her spare time loves going to the theater and traveling the world.

Gina Szapucki (Associate Editor) concentrates her practice exclusively in the areas of marital family law. Gina quickly realized she had a passion for helping families while clerking for a family law firm. Her passionate drive to assist and guide families, both efficiently and effectively, during challenging times continues to grow. Gina represents clients from all walks of life while zealously advocating for individual's rights under Florida law. Gina is originally from New Jersey but has called Florida home for the last 15 years.

FOREWORD

By Mitch Simmons

When I reflect on the friendship I have shared with Eddie Stephens, many words come to my mind:

- wisdom
- leadership
- experience
- compassion
- loving
- savvy
- curiosity

Do any of those words define him? All of them? None of them? To know Eddie means that the answer to each of those questions is, at any given time, yes.

I have known Eddie Stephens since 1993. At the time, we both served our Delta Sigma Pi Fraternity as regional directors. We also served together as trustees for our fraternity's Leadership Foundation. When I was Deltasig's national president, Eddie was the president and chairman of our Leadership Foundation. Over a period of almost 30 years, we have been able to share much, and develop an enduring friendship that has helped each of us weather some significant storms. To paraphrase something he once said to me, it is the ability to tell someone what they need to hear rather than what they want to hear. When you have a friend like that, it helps you realize that you have the strength to survive the worst of ordeals, as well as a friend with whom you want to celebrate the greatest of successes (maybe even with a [flaming cherries jubilee!](#))

Eddie applies a great passion for success to every project he takes on. I have seen that in his personal life and his professional life. He has a great heart for service and has demonstrated that in myriad ways. He once talked me into donning make-up to look like a vampire and crawling into a casket to support blood donations at a Halloween haunted house. I've seen him play a mean air guitar to raise money for an educational foundation. He rappelled down a high-rise office building to overcome fear and raise money for a charity.

While I have not been in the circumstance of needing the service of Eddie's chosen field of work, I have witnessed him in action and I have seen the impact of the art of his trade on those he has represented. Eddie applies the same ardor in pursuing the best interests of his clients that he has demonstrated so admirably to community service and his own family. When it comes down to it, we all need someone to trust, someone who guards our confidences, someone who listens, and someone who cares; when it is needed, someone who gives you sound advice. For me, Eddie Stephens is that man.

While **Stephens' Squibs** may have started to keep track of things for his personal growth, it has since become a standard for a certain group in the legal profession that is eagerly awaited each year. As you utilize this publication, I encourage you to emulate the personal characteristics of my friend. Eddie's goal has always been to make a positive difference in the world. Or, as he puts it:

"Do something that matters."

2022 Squibs

Agreements:

Parbeen v. Bari, 337 So.3d 343 (Fla. 4th DCA 2022). Trial court erred determining wife who signed a "Mahr," an Islamic religious document, that could have secular provisions was only entitled to "15,00,000 (Fifteen Lac) Taka only." In the instant case, the Mahr did not unambiguously express a desire to waive equitable distribution or temporary support. *Judge Dennis D. Bailey, reversed.*

Moquin v. Bergeron, 338 So.3d 918 (Fla. 4th DCA 2022). Because parties stipulated to the Family Articles of the civil code of Quebec, Wife not entitled to equitable distribution of marital assets. Conditional award of lump sum alimony and attorneys' fees affirmed. *Judge Scott Suskauer affirmed in part, reversed in part.*

Alimony:

Lee v. Lee, 47 Fla.L.Weekly D2455 (Fla. 2nd DCA 2022). Wife obtained divorce in Finland which did not address alimony. Trial court erred finding alimony had been waived and refusing to consider husband's claim for alimony. *Judges James Shenko and John S. Carlin, affirmed in part, reversed in part.*

Mikler v. Mikler, 47 Fla.L.Weekly D2556 (Fla. 2nd DCA 2022). Trial court erred basing alimony amount on Wife's speculative testimony about her speculative future expenses. *Judge Sharon M. Franklin, affirmed in part, reversed in part.*

Shobola v. Shobola, 47 Fla.L.Weekly D2583 (Fla. 2nd DCA 2022). Trial court erred awarding 3 years of alimony instead of two as was provided in valid prenuptial agreement, and trial court's award of retroactive award made no sense without any findings. *Judge Carl C. Hinson reversed in part, affirmed in part.*

Storandt v. Bryan, 47 Fla.L.Weekly D2433 (Fla. 1st DCA 2022). Trial court erred granting a prospective increase in alimony once marital house sold. A trial court is usually prohibited from considering a future, unanticipated event when setting a current alimony award. *Judge Maureen Horkan, affirmed in part, reversed in part.*

Leyte-Vidal v. Leyte-Vidal, 47 Fla.L.Weekly D2160 (Fla. 4th DCA 2022). Trial court erred awarding wife with \$6,500 in alimony when based on wife's own testimony she only needed \$6,000 per month. *Judge Nickolaus Hunter Davis, affirmed in part, reversed in part.*

Adams v. Adams, 340 So.3d 551 (Fla. 2nd DCA 2022). Normally, undistributed pass-through income is not included for purposes of determining alimony. If disputed, the party who receives pass-through income has the burden to demonstrate income was properly retained for corporate purposes, and not just impermissibly retained to avoid alimony. *Judge Dana Y. Moore, affirmed in part, reversed in part.*

Olguin v. Olguin, 339 So.3d 1061 (Fla. 2nd DCA 2022). Trial court failed to make adequate findings as to wife's needs for alimony, which prevented meaningful appellate review. *Judge Lisa S. Porter, affirmed in part, reversed in part.*

Smith v. Smith, 338 So.3d 1090 (Fla. 1st DCA 2022). Trial court reversed for failing to make sufficient findings in determining alimony and failing to address Wife's request to secure alimony with insurance. *Judge Thomas Dannheisser reversed.*

Rea-Manna v. Manna, 336 So.3d 804 (Fla. 1st DCA 2022). Trial court erred awarding 8 years of durational alimony instead of permanent alimony in a long-term marriage, without any explanation of how wife's ongoing need for support will expire after eight years. *Judge Elijah Smiley, affirmed in part, reversed in part.*

Whyte v. Whyte, 337 So.3d 18 (Fla. 4th DCA 2022). Trial court erred awarding durational alimony for twelve (12) years when marriage was just shy of twelve years. *Judge Victoria L. Griffin, affirmed in part, reversed in part.*

Fabrizio v. Fabrizio, 334 So.3d 711 (Fla. 2nd DCA 2022). Trial court erred granting \$1.00/year nominal permanent alimony without findings of fact. *Judge Peter Ramsberger, affirmed in part, reversed in part.*

Ogle v. Ogle, 334 So.3d 669 (Fla. 1st DCA 2022). Trial court erred awarding alimony without determining exact need and parties' income. Becoming rehabilitated is not purpose of bridge the gap alimony. Remanded back to court for better findings. *Judge Jeffrey E. Lewis, reversed and remanded.*

Pringle v. Pringle, 333 So.3d 757 (Fla. 3rd DCA 2022). Trial court erred awarding durational alimony for term that exceeded length of marriage. *Judge Jason E. Dimitris, affirmed in part, reversed in part.*

Appeals:

Bois v. Bois, 47 Fla.L.Weekly D2596 (Fla. 4th DCA 2022). Appellant's appeal of entitlement to 57.105 fees premature when amount has not yet been determined. Other issues affirmed. *Judge Dina A. Keever-Agrama affirmed in part.*

Diasolwa v. Burneikis, 47 Fla.L.Weekly D2492 (Fla. 3rd DCA 2022). Appellant's claim of never receiving appeal does not toll time for appeal. Party should have filed 12.540 motion of the order. Appeal dismissed as untimely.

Finch v. Cribbs, 47 Fla.L.Weekly D2232 (Fla. 1st DCA 2022). Lengthy discussion on mechanics of provisional order granting fees. *Remanding issue to circuit court.*

Edwards v. Alphonse, 345 So.3d 326 (Fla. 4th DCA 2022). When there are issues of fact the appellant asks the reviewing court to draw conclusions about the evidence, without a trial transcript the appellate court could not properly resolve underlying factual issues without knowing the factual context, nor can the appellate court reasonably conclude that the trial court so misconceived the law as to require reversal. *Judge Frank Ledee, affirmed.*

Brown v. Norwood, 343 So.3d 685 (Fla. 5th DCA 2022). Mathematical errors on the face of the judgment may be corrected in appeal even without a transcript. *Judge Tanya Davis Wilson, reversed.*

Holt v. Crowley, 343 So.3d 654 (Fla. 2nd DCA 2022). Appeal seeking to challenge reservation of jurisdiction to award fees was premature as judicial labor on issue not finished. *Appeal dismissed.*

Cummings v. Cummings, 342 So.3d 298 (Fla. 5th DCA 2022). Appellate court lacks jurisdiction to review judgment that awards entitlement to fees, but not amount. *Judge R. Gregg Jerald, affirmed in part and dismissed in part.*

Birnbaum v. Mortman, 341 So.3d 352 (Fla. 4th DCA 2022). Appellate court cannot determine if trial court erred in temporary relief order without a transcript. *Judge Scott R. Kerner, affirmed.*

Goulding v. Goulding, 341 So.3d 476 (Fla. 2nd DCA 2022). Order that awards an entitlement to fees, but not amount, is a non-final order not yet ripe for appeal. *Judge Linda Alley, affirmed in part and dismissed in part.*

Frownfelter v. Frownfelter, 338 So.3d 946 (Fla. 4th DCA 2022). Judgment that awards entitlement but not amount of attorney's fees is not ripe for review. *Judge Karen M. Miller, affirmed, appeal of fees dismissed.*

Figueroa v. Kossiver, 336 So.3d 1260 (Fla. 5th DCA 2022). Pro se litigant lost ability to challenge issues of fact by failing to seek exceptions to general magistrate's report. If no exceptions are filed, circuit court does not need a hearing to enter an order on report. An appellate court is not simply another forum to which the dissatisfied litigant may submit his or her list of grievances in hopes of a more favorable outcome. It is not a question of whether the appellate court agrees or disagrees with the result, but whether that result was reached in a fair manner and was within jurisdiction and authority of agency whose opinion is being appealed. *Judge Jeffrey Mahl, affirmed.*

Doukas v. Doukas, 335 So.3d 218 (Fla. 1st DCA 2022). Motion for rehearing not authorized on non-final order and therefore does not toll time to file appeal. Here, appeal that was filed within 30 days of order denying rehearing was untimely, because it was filed more than 30 days after the issuance of the underlying order subject to appeal. *Appeal dismissed.*

Moore v. Moore, 334 So.3d 382 (Fla. 5th DCA 2022). Garnishee cannot appeal denial of head of household status without transcript. *Judge John D.W. Beamer, affirmed.*

Baltodano v. Baltodano, 331 So.3d 1291 (Fla. 1st DCA 2022). Appeal of order denying rehearing that was untimely did not toll time for appeal. *Dismissed.*

Ortiz v. Ortiz, 335 So.3d 739 (Fla. 3rd DCA 2022). Second appeal of alimony and equitable distribution because trial court complied with mandate and made the necessary findings. Amended judgment affirmed. *Judge David Young, affirmed.*

Fiala v. Fiala, 333 So.3d 215 (Fla. 4th DCA 2022). Trial court erred using date of separation instead of date of filing for alimony and equitable distribution determinations, but error was harmless when date did not impact decision. *Judge Dale C. Cohen, affirmed.*

Tolston v. Tolston, 338 So.3d 950 (Fla. 3rd DCA 2021). Appellant could not appeal order on a charging lien or requiring a psychological evaluation without a transcript of the proceedings. *Judge Maria Elena Verde, affirmed.*

Attorney's Fees:

Eadie v. Gillis, 47 Fla.L.Weekly D2378 (Fla. 5th DCA 2022). Charging lien cannot attach to homestead property. Homeowner cannot waive homestead rights in unsecured agreement. *Judge Dan R. Mosley, affirmed in part, reversed in part.*

Johnson v. Johnson, 47 Fla.L.Weekly D2243 (Fla. 5th DCA 2022). Trial court erred by denying wife's request for fees without addressing the "bad faith" fees requested by wife. *Judge Christopher A. France, affirmed in part, reversed in part.*

Cletcher v. Cletcher, 348 So.3d 1223 (Fla. 2nd DCA 2022). Error to award fees to party in superior financial condition when no findings of bad faith in record. *Judge Joshua Riba affirmed in part, reversed in part.*

Singer v. Singer, 347 So.3d 364 (Fla. 4th DCA 2022). Court reversed for awarding fees without providing party the opportunity to challenge entitlement. This was parties' 26th appeal stemming from underlying dissolution action. *Judge Fabienne E. Fahnestock, reversed and remanded.*

Rich v. Rich, 346 So.3d 1266 (Fla. 2nd DCA 2022). Continuation of "dumpster documents" case. Here, order of attorney's fees based on inequitable conduct reversed when underlying judgment containing findings of inequitable conduct also reversed. *Judge Christopher LaBruzzo, reversed.*

Erskine v. Erskine, 344 So.3d 566 (Fla. 1st DCA 2022). Trial court has jurisdiction to grant temporary appellate fees without authorization from appellate court. *Judge John F. Simon, Jr., affirmed.*

Your Support Solution, PA v. Ovalles, 343 So.3d 178 (Fla. 3rd DCA 2022). Order denying charging lien because fee was contingency is reversed. Rule 4-1.5(f)(3)(a) authorizes contingency fees to collect unpaid child support and alimony. *Judge David Young, reversed.*

Adams v. Adams, 40 So.3d 551 (Fla. 2nd DCA 2022). Order awarding fees without any findings of ability or need shall be reversed. *Judge Dana Y. Moore, affirmed in part, reversed in part.*

Hasson v. Hasson, 339 So.3d 1006 (Fla. 4th DCA 2022). Trial court's award of temporary fees reversed when wife presented no evidence of need, and there was no substantial competent evidence to support husband's ability. Reversible error occurs when the court orders a party to pay fees without any evidence that the party has the ability to pay in the time frame ordered. *Judge Susan F. Greenhawt, reversed.*

Nizahon v. Nizahon, 339 So.3d 1002 (Fla. 4th DCA 2022). Order that requires a party to pay attorney's fees in eight (8) installments, without any factual basis, remanded for prior findings. *Judge Michael Rothschild, affirmed in part, reversed in part.*

Alvarez v. Salazar, 338 So.3d 267 (Fla. 4th DCA 2022). Trial court erred awarding fees for vexatious litigation without consideration of finances or findings that

would support an award under the inequitable conduct doctrine. *Judge Michael Rothschild, affirmed in part, reversed in part.*

Haskell v. Haskell, 333 So.3d 310 (Fla. 2nd DCA 2022). Court erred by significantly cutting hours of attorney's fees without explanation. *Judge Doneene D. Loar, affirmed in part, reversed in part.*

Schreiber v. Schreiber, 331 So.3d 874 (Fla. 5th DCA 2021). Trial court erred awarding fees where only evidence was expert witness testimony. There was no properly-authenticated fee affidavit nor testimony of any lawyers that did work on the case, nor any timesheets or billing records presented. *Judge Mark S. Blechman, reversed.*

Enforcement:

Antunes v. De Oliveira, 47 Fla.L.Weekly D1220 (Fla. 3rd DCA 2022). Provision that if a party did not provide seven (7) days notice of international travel they would pay a \$10,000.00 sanction is enforceable, but provision that provides no more international travel is not enforceable as it was not in minor child's best interest. *Judge Maria Elena Verde, affirmed in part, reversed in part.*

Bentrim v. Bentrim, 335 So.3d 706 (Fla. 4th DCA 2022). Former wife could not be held in contempt for violating order saying all communications would be confidential. Order did not clearly and precisely ban former wife from requesting records. *Judge Renatha Francis, affirmed in part, reversed in part.*

Langsetmo v. Metza, 335 So.3d 708 (Fla. 4th DCA 2022). Trial court erred failing to award statutory interest from date of loss when spouse failed to make an equalizing payment. Judge Steven Levin, *affirmed in part, reversed in part.*

Alcalde v. Alcalde, 340 So.3d 529 (Fla. 3rd DCA 2022). Trial court erred ruling former wife waived her right to collect child support. You don't waive your right to support. Laches could apply, but you need an evidentiary hearing. *Judge Scott M. Bernstein, reversed.*

Kovic v. Kovic, 336 So.3d 22 (Fla. 4th DCA 2022). Trial court erred by holding party in contempt for something the final judgment did not expressly provide for. *Judge Karen Miller, reversed in part, affirmed in part.*

Equitable Distribution:

Cardarelli v. Cardarelli, 47 Fla.L.Weekly D2420 (Fla. 4th DCA 2022). Former wife's right to COLA (cost of living adjustment) in FRS is a vested statutory right accrued during marriage, and thus properly included in a QDRO. *Judge Renatha Francis, affirmed.*

Ford v. Ford, 47 Fla.L.Weekly D2520 (Fla. 5th DCA 2022). Trial court's order awarding credits reversed, as there are no findings of fact in order and it is impossible to determine how Court calculated credits. *Judge Christopher A. France, affirmed in part, reversed in part.*

Hearn v. Hearn 47 Fla.L.Weekly D2474 (Fla. 2nd DCA 2022). Trial court erred finding marital waste concerning litigation and a settlement between the husband and his former employer that occurred before the marriage was irretrievably broken. Misconduct is not shown by mismanagement or simple squandering or marital assets in a manner in which the other spouse disapproves, rather there must be a finding of intentional misconduct based on evidence showing marital funds were used for one party's own benefit, for a purpose not related to the marriage, at a time when the marriage was undergoing irreconcilable breakdown. *Judge Jared E. Smith, affirmed in part, reversed in part.*

Lee v. Lee, 47 Fla.L.Weekly D2455 (Fla. 2nd DCA 2022). Trial court erred failing to address parties' request for equitable distribution of marital assets and liabilities. *Judges James Shenko and John S. Carlin, affirmed in part, reversed in part.*

Rogers v. Rogers, 47 Fla.L.Weekly D2466 (Fla. 2nd DCA 2022). Trial court erred finding boat was non-marital gift from party's parent. However, money for gift was deposited into a joint checking account, thus commingling the funds. Because of commingling, boat had been transmuted to a marital asset. *Judge Kyle S. Cohen, affirmed in part, reversed in part.*

Iarussi v. Iarussi, 47 Fla.L.Weekly D2079 (Fla. 1st DCA 2022). Trial court erred awarding prejudgment interest to date of filing for equitable distribution payment. Assessment of prejudgment interest generally involves the occurrence of a wrong, such as breach of contract or a tort, which causes a loss at a time certain in the past. *Judge Dawn Caloca-Johnson affirmed in part, reversed in part.*

Martin v. Martin, 344 So.3d 621 (Fla. 1st DCA 2022). Trial court erred distributing husband's military disability to the wife in equitable distribution. Military disability is not a pension, and military disability payments are exempt from the definition of "disposable retired pay." *Judge Kelvin C. Wells, reversed.*

McGowan v. McGowan, 344 So.3d 607 (Fla. 1st DCA 2022). Court adopted Former Husband's proposed final judgment verbatim, and this case reveals the peril of doing that. The court misclassified non-marital assets as marital assets. The court misclassified several retirement accounts as marital when they had non-marital components to it. The court misclassified two (2)

liabilities as non-marital when they were incurred during the marriage. *Judge Lester Bass, reversed.*

Collier v. Collier, 343 So.3d 183 (Fla. 1st DCA 2022). Trial court affirmed for charging wife with the millions of dollars she transferred to an irrevocable trust after filing. The wife removed assets outside the marital estate for her sole non-marital benefit. *Judge Shonna Young Gay, affirmed.*

Malek v. Malek, 346 So.3d 179 (Fla. 3rd DCA 2022). Issue of ownership of corporation between husband and wife should not be arbitrated per shareholder's agreement. *Judge Jason E. Dimitris, reversed and remanded.*

Travis v. Travis, 346 So.2d 165 (Fla. 5th DCA 2022). Trial court affirmed for distributing husband's Lockheed Retirement Program although it is not listed in final judgment, because the final judgment provided that retirement benefits and pensions were being distributed and the language was broad enough to suffice. However, the three (3) QDRO's entered during the pendency of appeal are vacated because the court lacked jurisdiction to enter the orders at that time. *Judge Jessica J. Recksiedler, affirmed in part, reversed in part.*

Arzillo v. Arzillo, 343 So.3d 137 (Fla. 2nd DCA 2022). Trial court erred assigning retirement account that had been depleted to pay attorney's fees without any findings of waste. *Judge Heather Beato, affirmed in part, reversed in part.*

Twigg v. Twigg, 346 So.3d 100 (Fla. 2nd DCA 2022). Trial Court erred classifying automobile as marital asset when it was given to one party before the marriage and no evidence of appreciation presented. *Judge Christine A. Marlewski affirmed in part, reversed in part.*

Orth v. Orth, 338 So.3d 363 (Fla. 3rd DCA 2022). The trial court averaging the cost of a smoker's premium v. a non-smoker's premium for life insurance was an unauthorized modification to an MSA. Under the terms of the MSA, husband was responsible for rate increase. *Judge Marcia Del Rey, affirmed in part, reversed in part.*

Padmore v. Padmore, 335 So.3d 239 (Fla. 2nd DCA 2022). Trial court erred finding 2018 tax refund was marital when divorce was filed in 2017. *Judge Denise Pomponio, affirmed in part, reversed in part.*

Income:

Eadie v. Gillis, 47 Fla.L.Weekly D2378 (Fla. 5th DCA 2022). Trial court erred imputing income to wife with an amount that she never earned. *Judge Dan R. Mosley, affirmed in part, reversed in part.*

Leyte-Vidal v. Leyte-Vidal, 47 Fla.L.Weekly D2160 (Fla. 4th DCA 2022). Trial court erred determining husband's annual income was \$332,500, when that was the most the husband made & it contained a bonus that was not regular or continuous. *Judge Nickolaus Hunter Davis, affirmed in part, reversed in part.*

Iarussi v. Iarussi, 47 Fla.L.Weekly D2079 (Fla. 1st DCA 2022). Trial court erred failing to impute any investment income to Wife. The law requires a court, when calculating alimony, to consider all sources of income available to either party through investment of assets of that party. *Judge Dawn Caloca-Johnson affirmed in part, reversed in part.*

Arzillo v. Arzillo, 343 So.3d 137 (Fla. 2nd DCA 2022). Trial court erred imputing full time teacher's salary without any findings that those jobs were available in local job market. *Judge Heather Beato, affirmed in part, reversed in part.*

Sadlak v. Trujillo, 336 So.3d 1275 (Fla. 3rd DCA 2022). Trial court's amount of imputation reversed when there was no competent evidence wife was qualified to work as "CAM" (community association manager) beyond having a license, and no evidence of prevailing wages in community. *Judge George A. Sarduy, affirmed in part, reversed in part.*

Briggs v. Briggs, 336 So.3d 1286 (Fla. 1st DCA 2022). Trial court erred using date of filing to value depleted account when there was no waste. *Judge Timothy R. Collins, affirmed in part, reversed in part.*

Silvas v. Silvas, 334 So.3d 630 (Fla. 4th DCA 2022). Trial court affirmed for imposing the constructive trust when there is (1) a promise express or implied; (2) transfer of the property and reliance thereon; (3) a confidential relationship; and (4) unjust enrichment. Matter reversed to give party credit for premarital contribution. *Judge Laurie E. Buchanan, affirmed in part, reversed in part.*

Chatten v. Chatten, 334 So.3d 633 (Fla. 4th DCA 2022). Fact wife provided down payment for home did not overcome presumption of gift which would support unequal distribution. *Judge Cynthia L. Cox, affirmed in part, reversed in part.*

Poveromo v. Poveromo, 333 So.3d 309 (Fla. 5th DCA 2022). Trial court erred failing to impute \$40,000 income to teacher on erroneous belief that the court could not impute more income than that person ever earned. *Judge Luis Fernando Calderon, reversed.*

Goff v. Goff, 331 So.3d 312 (Fla. 2nd DCA 2022). Trial court erred distributing home to husband without any requirement to refinance home within a reasonable time, and include a hold harmless provision in the event property could not be refinanced. *Judge G. Keith Cary, reversed.*

Bathke v. Costley, 332 So.3d 1076 (Fla. 5th DCA 2021). Trial court erred not considering tax consequences on valuation of business simply because sale of business was not imminent. *Judge Tanya Davis Wilson, affirmed in part, reversed in part.*

Graham v. Graham, 339 So.3d 433 (Fla. 5th DCA 2022). Court erred double dipping husband's income. Judge Michael Kraynick, *affirmed in part, reversed in part.*

Kennedy v. Kennedy, 330 So.3d 922 (Fla. 4th DCA 2022). Trial court erred by imputing minimum wage to wife when husband did not request imputation and issue not otherwise before the court. *Judge Karen M. Miller, affirmed in part, reversed in part.*

Gillespie v. Holdsworth, 333 So.3d 278 (Fla. 2nd DCA 2022). Trial court erred imputing income without evidence of prevailing earnings level in the community. Even if a parent leaves a job unwisely, ill-advisedly or motivated by frustration or spite, the voluntary nature of her continued unemployment must be shown with proof that she is not making diligent bona fide efforts to obtain employment. *Judge Elizabeth V. Krier, affirmed in part, reversed in part.*

Sunderwirth v. Sunderwirth, 332 So.2d 1087 (Fla. 2nd DCA 2022). Trial court erred imputing stay-at-home mother's entire deficit as in-kind reimbursement from her fiancé, without any evidence of what fiancé was paying for. *Judge Peter Ramsberger, affirmed in part, reversed in part.*

Injunctions:

Fay v. Carter, 47 Fla.L.Weekly D2519 (Fla. 5th DCA 2022). Error to dismiss injunction against domestic violence because alleged violence happened in another state. Per Florida Statute 741.30(1)(j), petition can be filed in county where petitioner or respondent lives, or where alleged violence happened. *Judge Nancy Alley, reversed.*

Leyte-Vidal v. Leyte-Vidal, 47 Fla.L.Weekly D2160 (Fla. 4th DCA 2022). Trial court erred when written judgment was inconsistent with oral pronouncements. *Judge Nickolaus Hunter Davis, affirmed in part, reversed in part.*

Cardon v. Halmaghi, 348 So.3d 1241 (Fla. 1st DCA 2022). Trial court erred extending a repeat violence injunction when petitioner failed to demonstrate another act of violence or reasonably objective fear act is likely to happen in the future. Whether evidence is legally sufficient to support extension of injunction to support injunction is a legal question subject to de nova review. *Judge Ross M. Goodman, reversed.*

Montes-Bolden v. Beauvais, 47 Fla.L.Weekly D2122 (Fla. 3rd DCA 2022). A court may not enter injunctive relief sua sponte in the absence of required pleadings and notice. *Judge Milton Hirsch affirmed in part, reversed in part.*

Brown v. Armstrong, 348 So.3d 670 (Fla. 5th DCA 2022). It was error to deny motion to dissolve injunction based on a change of circumstances without a hearing. *Judge Christopher A. France, reversed.*

Stevens v. Hudson, 345 So.3d 977 (Fla. 1st DCA 2022). Asking spouse to take 5 steps back during a heated conversation is not enough to support entry of domestic violence injunction. *Judge W. Collins Cooper, reversed and remanded to vacate injunction.*

Rosalyn v. Konecny, 346 So.3d 630 (Fla. 4th DCA 2022). The use of a drone can contribute to causing a person substantial emotional distress under section 784.048(1)(a). However, court cannot address custody of children in stalking injunction. *Judge Dale Cohen, affirmed in part, reversed in part.*

Green v. Bordiuk, 344 So.2d 630 (Fla. 2nd DCA 2022). Trial court erred failing to dissolve domestic violence injunction when scenario underlying injunction no longer exists, so the continuation of the injunction serves no valid purpose. *Judge John S. Carlin, reversed and remanded to dissolve injunction.*

Cadavid v. Saporta, 344 So.3d 478 (Fla. 4th DCA 2022). Section 57.105(8) now provides right to fees in injunction cases when there is clear and convincing evidence that one of the parties lied. In this case, no clear and convincing evidence of a lie, so fee award reversed. *Judge Stefanie C. Moon, reversed.*

Baruti v. Vingle, 343 So.2d 150 (Fla. 5th DCA 2022). Petitioner was paramour of Respondent's husband. Petitioner made 2 allegations – Respondent came into her work and stared at her, and Respondent ran her off the road and collided with her vehicle. While the second incident qualifies for entry of an injunction, the first incident does not. *Judge James H. Earp, reversed.*

Werner v. Werner, 339 So.3d 1100 (Fla. 2nd DCA 2022). Domestic violence injunction reversed when evidence was insufficient to establish reasonable fear of imminent violence. *Judge Lisa S. Porter, reversed.*

Lentino v. McKinney, 339 So.3d 494 (Fla. 5th DCA 2022). Dating violence injunction reversed. Entry was based on two instances. First instance was not included in the petition. Second instance was a phone call that was insufficient to establish imminent danger of another act of dating violence. *Judge Steven C. Henderson, reversed.*

Brooks v. Basdeo, 336 So.3d 423 (Fla. 5th DCA 2022). Trial court deprived respondent by taking evidence and relying on an unpled incident as part of granting injunction. Statute provides “sworn petition must allege the existence of domestic violence and must include the specific facts and circumstances upon the basis for which relief is sought.” *Judge Heather Pinder Rodriguez, reversed.*

Klement v. Kofsman o/b/o A.K., a child, 337 So.3d 27 (Fla. 4th DCA 2022). Because the first judge had previously considered the allegations litigated in the second hearing, and had previously found each one of them insufficient to constitute qualifying acts of harassment/stalking, the successor judge was barred by res judicata from reconsidering those allegations as qualifying incidents at the second hearing. *Judge Debra Moses Stephens, reversed.*

Rollins v. Rollins, 336 So.3d 1241 (Fla. 5th DCA 2022). Trial court affirmed for denying injunction for protection against sexual violence even through the court found both parties “credible,” but still found petitioner did not prove case by preponderance of the evidence. Lengthy discussion on difference between burden of proof at trial and burden of proof to overturn court’s discretionary judgment. *Judge Barbara J. Leach, affirmed.*

Labrake v. Labrake, 335 So.3d 214 (Fla. 1st DCA 2022). Trial court erred denying motion to dissolve injunction when movant demonstrated that the scenario underlying the injunction no longer exists, so that the continuation of the injunction would serve no valid purpose. *Judge John F. Simon, reversed.*

Garcia v. Soto, 337 So.3d 355 (Fla. 4th DCA 2022). Stalking injunction reversed because there was not a series of incidents that would support entry. Strong dissent because supplemental petition, which was not objected to by respondent’s trial attorney, listed additional incidents, and per Topsy Coachman rule, if a trial court reaches the right result for wrong reason, it still should be upheld. *Judge Renatha Francis, reversed.*

Alcon v. Collins, 334 So.3d 717 (Fla. 1st DCA 2022). Long distance, platonic relationship was not sufficient to establish standing (i.e. family or household member). *Judge Terrance R. Ketchel, reversed.*

Stallings v. Bernard, 334 So.2d 365 (Fla. 2nd DCA 2022). One harassing message and a car chase ending with a window broken by a baseball bat was insufficient for stalking injunction. *Judge Amy M. Williams, reversed.*

Dickson v. Curtis, 338 So.3d 1001 (Fla. 3rd DCA 2022). Court did not delegate authority by signing one party’s proposed final judgment, when both sides were invited to submit proposed judgments. In this case, filing an injunction eleven (11) months after incident was not too remote, when child failed to tell parent of

the incident because he was scared. *Judges Samantha Ruiz Cohen and Christina Marie DiRaimondo, affirmed.*

Santos v. Bartoletta, 332 So.3d 1134 (Fla. 2nd DCA 2022). Trial court erred granting an injunction against dating violence when no evidence of reasonable cause to believe petitioner is in imminent danger of being a victim of an act of violence in the future. When considering whether a petitioner has such reasonable cause, the trial court must consider the current allegations, the parties' behavior within the relationship, and the history of the relationship as a whole. *Judge Lisa Allen, reversed.*

Bak v. Bak, 332 So.3d 1122 (Fla. 4th DCA 2022). Trial court erred not dissolving 22-year old domestic violence injunction based on change of circumstances, when respondent previously sought to dissolve, but was denied because children still lived with petitioner at that time. Children moving out of petitioner's home is a change of circumstances that should have been a sufficient basis to dissolve injunction against respondent. *Judge Fabienne Fahnestock, reversed.*

Ahern v. Leon, 332 So.3d 1028 (Fla. 4th DCA 2022). Respondent cautioning petitioner's new girlfriend about petitioner was insufficient to support a stalking injunction. *Judge Stefanie C. Moon, reversed.*

Hasan v. Rivera, 332 So.3d 1023 (Fla. 4th DCA 2022). Final judgment of stalking injunction reversed when injunction was based on threats of litigation. Unpleasant, uncivil and distasteful communications do not rise to the level required to support a permanent injunction against stalking. *Judge Michael G. Kaplan, reversed.*

Bell v. Battaglia, 332 So.3d 1094 (Fla. 2nd DCA 2022). Final judgment for injunction against dating violence based on text message sent from paramour to husband's wife reversed. Text was sent to third-party, not petitioner, and a message alone is not sufficient to establish basis for an injunction. Appeal not moot even though injunction expired because of "collateral consequences." Long opinion with dissent. *Judge Scott Cupp, reversed.*

Strober v. Harris, 332 So.3d 1979 (Fla. 2nd DCA 2022). Trial court erred for dismissing a cyberstalking injunction against a Georgia resident for lack of personal jurisdiction. Tortious conduct committed out-of-state is considered to have occurred "within the state" for the purposes of applying the long-arm statute where it involves posting material online about a Florida resident, that is, in fact accessed in the state of Florida. *Judge Doneene D. Loar, reversed.*

Sutton v. Fowler, 332 So.3d 1001 (Fla. 4th DCA 2021). Trial court erred considering events that were not pled for in the petition, when granting final judgment of stalking petition. *Judge James W. McCann, reversed.*

Jurisdiction:

Beehler v. Beehler, 47 Fla.L.Weekly D2561 (Fla 1st DCA 2022). Trial court affirmed for declining to transfer case to another state (Idaho) via forum non convenience, when Florida had exclusive continuing jurisdiction and Father still had ties to Florida. *Judge Daniel F. Wilensky, affirmed.*

Fradera v. Fradera, 47 Fla.L.Weekly D2250 (Fla. 5th DCA 2022). Trial court erred finding it had personal jurisdiction over husband. The fact the husband sought appointment of general magistrate to oversee the sale of the property did not confer personal jurisdiction by seeking affirmative relief. Husband's motion was wholly reliant on wife's petition for partition, and it could not be maintained without it. Therefore, Husband was not seeking affirmative relief. *Judge Susan Stacy, reversed.*

Chatani v. Blaze, 346 So,3d 670 (Fla. 3rd DCA 2022). Trial court affirmed for dismissing paternity action, when Florida is not the child's home state. Detailed discussion on temporary absence from the home state. *Judge Abby Cynamon, affirmed.*

Life Insurance:

Leyte-Vidal v. Leyte-Vidal, 47 Fla.L.Weekly D2160 (Fla. 4th DCA 2022). Trial court erred awarding life insurance to secure alimony and child support without findings of cost, availability and special circumstances that warrants security for obligation. *Judge Nickolaus Hunter Davis, affirmed in part, reversed in part.*

Murphy v. Murphy, 335 So.3d 224 (Fla. 1st DCA 2022). Trial court erred awarding life insurance to secure alimony when court found no special circumstances that warrant security. *Judge Mary Polson, affirmed in part, reversed in part.*

Modification:

Alence v. Matheson, 47 Fla.L.Weekly D2580 (Fla. 2nd DCA 2022). Trial court erred dismissing former wife's petition for modification. When 2015 modification was entered it was known that the former husband was a pedophile. Now the former wife alleged since 2015 modification, the former husband had engaged in risky behaviors and a course of conduct with respect to the children's education and healthcare, which was sufficient to state a cause of action for modification. *Judge Helene Daniel, reversed.*

Branham v. Branham, 47 Fla.L.Weekly D2521 (Fla. 5th DCA 2022). Trial court erred in finding that Former Husband can continue to pay alimony from proceeds of sold real estate, but error was harmless as Former Husband left his job voluntarily and is therefore not entitled to a reduction in alimony anyway. *Judge Alicia R. Washington, affirmed.*

Girard v. Girard, 47 Fla.L.Weekly D2485 (Fla. 4th DCA 2022). Trial court erred imputing income to the Former Wife at modification trial, when no income was imputed to Wife as part of divorce final judgment, and there was no substantial change of circumstances. *Judge Cynthia L. Cox, affirmed in part, reversed in part.*

Salazar v. Dominguez, 47 Fla.L.Weekly D2363 (Fla. 2nd DCA 2022). Trial court erred granting modification on default and denying mother's motion to vacate judgment when there was no record evidence the trial court considered the best interests of the child. *Judge Mark F. Carpanini, reversed.*

Logreira v. Logreira, 47 Fla.L.Weekly D1936 (Fla. 3rd DCA 2022). Trial court erred modifying parenting plan to include compulsory participation in Family Bridges program for parental alienation, without any evidence the program is in the children's best interests. *Judge Marcia del Rey, reversed.*

O'Brien v. O'Brien, 47 Fla.L.Weekly D1831 (Fla. 5th DCA 2022). Trial court failed to enforce arrearages accrued prior to petition for modification being filed. *Judge Christopher S. Ferebee, reversed in part, affirmed in part.*

Miedes v. Ideses, 346 So.3d 686 (Fla. 3rd DCA 2022). No error with judgment granting modification of parenting plan and child support with detailed 34-page judgment containing explicit findings, supported by competent evidence. *Judge Ivonne Cuesta, affirmed.*

Roberts v. Diaz, 343 So.3d 156 (Fla. 3rd DCA 2022). Trial court did not err in ordering and ratifying the wife's proposed parenting plan in response to husband's petition for modification. *Judge Christina Marie DiRaimondo, affirmed.*

Rodolph v. Rodolph, 344 So.3d 451 (Fla. 4th DCA 2022). *Replaces Opinion at 47 Fla.L.Weekly D9222* – Trial court erred treating former husband's discretionary withdrawals from his retirement account as income for purposes of determining ability to pay. Post-judgment enforcement orders entered during pendency also reversed. *Judges Lester Langer & Nickolaus Hunter Davis, reversed.*

Mahle v. Mahle, 341 So.3d 344 (Fla. 4th DCA 2022). Trial court affirmed for declining to impute social security benefits husband was eligible for, but has not elected to receive yet. *Judge Jessica Ticktin, affirmed.*

Daniello v. Settle, 336 So.3d 1224 (Fla. 4th DCA 2022). Trial court erred granting modification when mother had 4 years of sobriety post final-judgment as this would be a life improvement, not a basis for modification. *Judge Dina Keever-Agrama, reversed in part, affirmed in part.*

Ceballos v. Barreto, 337 So.3d 69 (Fla. 4th DCA 2022). Order modifying timesharing at enforcement hearing went way beyond relief requested in motion and notice for hearing. *Judge Karen Miller, affirmed in part, reversed in part.*

Oyebanji v. Collier, 336 So.3d 431 (Fla. 1st DCA 2022). Trial court reversed for not imputing income to former husband after denying former husband's petition to modify support because he left his job voluntarily. Dissent which this action agrees with argues that because former husband left job voluntarily, no reason to impute. *Judge Maureen Horkan, reversed.*

Name Change:

In Re: Aubrey, 344 So.3d 486 (Fla. 4th DCA 2022). Trial court erred denying facially-sufficient petition for name change without a reason. *Judge William Haury, Jr., reversed.*

In Re: The Name Change of Sheikera Williams, 335 So.3d 145 (Fla. 4th DCA 2022). Even with no transcript, trial court erred denying facially sufficient petition for adult name change without providing a factual basis to do so. *Judge Frank D. Ledee, reversed.*

Parenting:

Allyn v. Allyn, 47 Fla.L.Weekly D2460 (Fla. 2nd DCA 2022). Trial court erred delegating authority to fashion timesharing to non-party therapist. *Judge Lisa Porter, affirmed in part, reversed in part.*

Hialt v. Mathieu, 47 Fla.L.Weekly D1776 (Fla. 4th DCA 2022). Court abused discretion by imposing on the parties, particularly the Mother, the enormous financial cost of the travel expenses of international travel without consideration of how parties can pay for such travel. *Judge Renatha S. Francis, affirmed in part, reversed in part.*

E.M. v. E.G., 343 So.3d 631 (Fla. 2nd DCA 2022). Trial court's final judgment of modification imposing supervised visitation reversed and remanded, when judgment provides no findings as to why supervised visitation is warranted. *Judge Kevin Bruning, affirmed in part, reversed in part.*

Hassenplug v. Hassenplug, 346 So.3d 149 (Fla. 2nd DCA 2022). Judge reversed for removing child from homeschooling to prevent further discord between

parents, without any findings of fact as to the best interests of the child. *Judge Joshua Riba, affirmed in part, reversed in part.*

Hernandez v. Mendoza, 346 So.3d 60 (Fla. 4th DCA 2022). Trial court reversed, even without a transcript, for not including language that either party may consent to mental health treatment in the parenting plan. *Remanded back to Judge Karen Miller.*

Oddo v. Oddo, 340 So.3d 541 (Fla. 5th DCA 2022). Trial court erred modifying timesharing when the matter was not noticed, and for ordering a psychological evaluation when mental state is not at issue. *Judge Susan Stacy, affirmed in part, reversed in part.*

Schneer v. Llaurado, 338 So.3d 337 (Fla. 3rd DCA 2022). Trial court affirmed for temporarily placing the minor child with maternal uncle and ordering supervised timesharing for both parents. No transcript. Appellate court noted all findings were predicated on best interest of the child, and nothing on the record contradicted this. *Judge Jason E. Dimitris, affirmed.*

Levy v. Donnenfeld, 338 So.3d 395 (Fla. 3rd DCA 2022). Trial court did not err granting sole decision making when matter tried by consent. *Judge Scott M. Bernstein, affirmed.*

Hernandez v. Hernandez, 335 So.3d 141 (Fla. 4th DCA 2022). Trial court affirmed for denying relocation when it was used in an attempt to relocate child instead of parent relocating. Court erred by modifying summer timesharing when relief was not pled. *Judge Maxine Cheesman, affirmed in part, reversed in part.*

T.A. v. A.S., 335 So.3d 208 (Fla. 2nd DCA 2022). Trial court erred issuing parenting plan where timesharing gradually increased based upon completion of certain events and without judicial involvement. *Judge Jennifer X. Gabbard, affirmed in part, reversed in part.*

Seith v. Seith, 337 So.3d 21 (Fla. 4th DCA 2022). Trial court affirmed for adjusting timesharing because one parent moved almost 50 miles away. Distinguished from Halbert, which involved modification of custody. *Judge Michael J. McNicholas, affirmed in part, reversed in part.*

Lofton v. Arthur, 332 So.3d 592 (Fla. 1st DCA 2022). It is not an abuse of discretion for trial court to refuse a path of reunification with child. *Judge Robert K. Groeb, affirmed.*

Harrell v. Cook, 333 So.3d 263 (Fla. 1st DCA 2022). Trial court erred by engaging in a prohibited prospective-based analysis, when it ordered a

timesharing plan. Court cannot address timesharing on future events. *Judge Thomas V. Dannheisser, affirmed in part, reversed in part.*

Paternity:

Enriquez v. Velazquez, 47 Fla.L.Weekly D2251 (Fla. 5th DCA 2022). Trial court erred finding 742.14 (assisted reproduction technology) applied to a couple who conceived a child at home, do-it-yourself method. *Judge John D.W. Beamer, reversed.*

DOR o/b/o Zelaya v. Trochez, 343 So.3d 668 (Fla. 3rd DCA 2022). Trial court erred ordering genetic testing when paternity was not “at issue” and no showing of good cause. *Judge Marcia del Rey, order quashed.*

Nelson v. Mirra, 335 So.3d 236 (Fla. 5th DCA 2022). Trial court erred denying Mother’s emergency motion for pick up, when paternity established but no order on custody. Father’s paternity alone does not grant him child custody. *Judge Joshua A. Mize, reversed.*

Castillo v. Rodriguez, 332 So.3d 1050 (Fla. 3rd DCA 2021). Matter reversed when mother has no basis to seek disestablishment of paternity for child. *Judge Marcia Del Rey, reversed.*

Procedure:

Higgins v. Higgins, 47 Fla.L.Weekly D2527 (Fla. 2nd DCA 2022). Trial court erred denying wife’s motion for continuance of zoom trial when wife had a bad internet connection. Denial of continuance deprived wife of due process right to be heard. *Judge Amy R. Hawthorne affirmed in part, reversed in part.*

King v. Escobar, 47 Fla.L.Weekly D2631 (Fla. 4th DCA 2022). Trial court’s order compelling compulsory psychological examination failed to specify length, subject matter of evaluation, or type of testing to be conducted. This type of open-ended order departs from the essential requirements of law, and results in a miscarriage of justice because it grants doctor ‘carte blanche’ to perform any type of psychological inquiry, testing and/or analysis. *Judge Natasha DePrimo’s order quashed.*

Lee v. Lee, 47 Fla.L.Weekly D2455 (Fla. 2nd DCA 2022). Trial court erred by failing to consolidate a partition action with a divorce action, even when the partition matter was close to trial. When the two actions involved same questions of law and fact in question, the administration of justice is best served by an order that averts the piecemeal handling of claims between parties. *Judges James Shenko and John S. Carlin, affirmed in part, reversed in part.*

Levy v. Levy, 47 Fla.L.Weekly D2495 (Fla. 3rd DCA 2022). Motion to disqualify counsel properly denied, when motion was unprofessional and unfair, and there was a complete and total failure of proof of any allegations set forth. *Judge Jason E. Dimitris, affirmed.*

Hiatt v. Mathieu, 47 Fla.L.Weekly D2292 (Fla. 4th DCA 2022). Appellate court denies motion for rehearing and notes that due to amended rule 12.530(a), which provides “to preserve for appeal, a challenge to the sufficiency of a trial court’s findings in the final judgment, a party must raise it by rehearing,” so issue would be moot. *Judge Renatha S. Francis, denied.*

Schenavar v. Schenavar, 47 Fla.L.Weekly D2291 (Fla. 4th DCA 2022). Trial court reversed for issuing a final judgment that did not include timesharing schedule, failed to set forth child support pursuant to §61.30, failed to determine which party had the right to federal tax exemption for minor children, and failed to apportion cost of health insurance for minor children. The court also erred denying wife’s motion to vacate judgment without an evidentiary hearing. *Judge Karen M. Miller, affirmed in part, reversed in part.*

Akerman LLP v. Cohen & Cohen, 47 Fla.L.Weekly D2281 (Fla. 4th DCA 2022). Trial court erred in finding that the actions of husband and his attorney waived the attorney-client privilege for a non-party business. *Judge James L. Martz, order quashed.*

Bowers v. Smith, 47 Fla.L.Weekly D2277 (Fla. 5th DCA 2022). Trial court erred suspending wife’s timesharing because that relief was not requested by the other party. *Judge Christopher A. France, affirmed in part, reversed in part.*

Johnson v. Johnson, 47 Fla.L.Weekly D2243 (Fla. 5th DCA 2022). Trial court erred failing to address wife’s request for income deduction order and life insurance. *Judge Christopher France, affirmed in part, reversed in part.*

Baroff v. Baroff, 47 Fla.L.Weekly D2223 (Fla. 4th DCA 2022). Trial court affirmed for denying second 12.540 motion on the same issue as the first 12.540 motion. Remedy for losing first motion is an appeal, not another 12.540 motion. *Judge Laura C. Burkhart, affirmed.*

Sosa v. Pena, 47 Fla.L.Weekly D2168 (Fla. 3rd DCA 2022). Trial court affirmed for failing to dismiss a motion for forum non conveniens, and father’s unjustifiable conduct. Florida retains exclusive continuing jurisdiction until both parties end ties with Florida. The Court cannot review other issues without a transcript. *Judge Denise Martinez-Scanziani, affirmed.*

Iarussi v. Iarussi, 47 Fla.L.Weekly D2079 (Fla. 1st DCA 2022). Trial court did not err adopting parties’ proposed final judgment signed 12 months after trial,

because judgment contained thoughtful and independent analysis of the facts. *Judge Dawn Caloca-Johnson affirmed in part, reversed in part.*

Gjokhila v. Seymour, 349 So.3d 946 (Fla 1st DCA 2022). Party could not seek to set aside a consent judgment without a showing of fraud. *Judge Maureen Horkon, affirmed.*

Johansson v. Johansson, 348 So.3d 1153 (Fla. 4th DCA 2022). When a trial court's written order is inconsistent with its earlier oral pronouncement, the oral pronouncement generally controls and the written order should be reversed. *Judge Frank Ledee, affirmed in part, reversed in part.*

Athienitis v. Makris, 346 So.3d 732 (Fla. 2nd DCA 2022). Trial court violated parties' due process by adjudicating issues not presented in the pleadings, nor noticed to the parties, nor tried by consent. *Judge Kelly A. Ayers, affirmed in part, reversed in part.*

Carlson v. Frengut, 47 Fla.L.Weekly D1900 (Fla. 4th DCA 2022). Income Withholding Order is required upon order establishing, enforcing or modifying alimony and child support, and should include provision for arrears. *Judge George Odom, remanded for further proceedings.*

In Re: Amendments to Florida Law Rule of Procedure 12.200, 47 Fla.L.Weekly S241 (Fla. 2022). Removes requirement that all case management and pretrial conferences to be uniform.

Fetchick v. Fetchick, 47 Fla.L.Weekly D1794 (Fla. 5th DCA 2022). Trial court erred ruling on contempt fees after modification judgment entered. Normally, when a trial court renders a final judgment in an action, its jurisdiction is terminated. However, in this case, contempt motion had nothing to do with modification. *Judge Susan Stacy, reversed.*

Kraus v. Kraus, 47 Fla.L.Weekly D1778 (Fla. 3rd DCA 2022). The trial court was permitted to consider former husband's medical condition and loss of income even though it was not plead, because the former wife did not object to the evidence and thus the matter was tried by consent. *Judge Luis Garcia, affirmed.*

In Re: Amendments to Florida Rule of Civil Procedure 1.530 and Florida Family Rule of Procedure 12.530, 346 So. 3d 1131 (Fla. 2022). Clarifies that motion for rehearing is required to preserve an objection to insufficient findings in a final judgment.

Allen v. Allen, 346 So.3d 667 (Fla. 1st DCA 2022). Trial court properly denied motion to re-open, when motion was not based on any newly discovered evidence. *Judge Maureen Horkan, affirmed.*

Becker v. Becker, 343 So.3d 153 (Fla. 3rd DCA 2022). Service was valid when process server posted service in conspicuous place and yelled 'you are served' when party was attempting to evade service. *Judge Christina Marie DiRaimondo, affirmed.*

Murphy v. Murphy, 342 So.3d 799 (Fla. 1st DCA 2022). Trial court erred failing to dismiss a domestication request that failed to properly allege personal jurisdiction. Former husband filed a motion to dismiss with unrebutted statements that he was not subject to Florida's jurisdiction. *Judge Lance M. Day's order denying dismissal vacated and remanded for the court to dismiss domestication petition.*

In Re: Amendments to Florida Family Law Rule of Procedure 12.340 and Forms 12.930(b) and 12.930(c), 346 So.3d 1100 (Fla. 2022). Expert interrogatories are not included in the ten (10) additional interrogatories permitted.

In Re: Amendments to Florida Rules of Juvenile Procedure, Florida Family Rules of Procedure and Florida Approved Family Forms, 47 Fla.L.Weekly S188 (Fla. 2022). Supreme Court rejects proposed Rule 12.026 (Communication Technology) so remote proceedings still governed by Rule 2.530.

Tallo v. Illes, 342 So.3d 735 (Fla. 3rd DCA 2022). Order compelling third-party spouse of a judgment debtor to produce financial discovery. When a judgment creditor seeks to discover the personal financial information of a non-party, he or she bears the burden of proving that the information sought is relevant. The determination of relevancy should generally be made after an evidentiary hearing, due to the strong public policy underlying the constitutional protection of private financial information. *Judge Barbara Areces, Order quashed.*

Webking v. Webking, 340 So.3d 571 (Fla. 1st DCA 2022). Trial court erred entering an order when a stay was granted by the appellate court, and already in place. *Writ of Prohibition to quash challenged order, granted.*

Brooks v. Brooks, 340 So.3d 543 (Fla. 3rd DCA 2022). Court affirmed for dismissing 12.540 motion filed within 1-year of judgment, but was not brought to a hearing for 16 years. *Judge David Young, affirmed.*

In Re: Amendments to the Florida Family law of Procedure 12.351, 346 So.3d 1099 (Fla. 2022). Changes time from providing notice of intent to serve subpoena for production of things/documents (i.e. notice of production from non-party)

without deposition from 15 days to 10 days. Any objection still must be filed within the 10 days.

Olguin v. Olguin, 339 So.3d 1061 (Fla. 2nd DCA 2022). Trial court erred granting *ore tenus* motion for summary judgment before close of petitioner's case. Motion for summary judgment is a pre-trial motion. Party could seek motion for involuntary dismissal (akin to directed verdict) but not until the end of petitioner's case. *Judge Lisa S. Porter, affirmed in part, reversed in part.*

Pimienta v. Rasenfeld, 346 So.3d 1209 (Fla. 3rd DCA 2022). Trial Court affirmed for denying Wife's motion to continue trial due to expert not being ready. Delay in expert's report was attributable to Wife, even in light of Wife's 10th attorney withdrawing. *Judge Migna Sanchez-Lorens affirmed.*

Payne o/b/o C.P. v. Koch, 336 So.3d 1280 (Fla. 5th DCA 2022). Petition for certiorari granted in part, when court ordered child to attend behavior therapy as a result of a pick-up order when that relief was not requested in the motion. Injury could not be fixed on appeal and because relief was not requested, the trial court departed from essential requirements of the law. *Judge Susan Stacy's order, quashed in part.*

Polo v. Hernandez, 338 So.3d 336 (Fla. 3rd DCA 2022). Trial court reversed for not having hearing on party's timely-filed motion for exceptions to magistrate's report. *Judge Marcia Del Rey, reversed.*

Dike v. Dike, 335 So.3d 814 (Fla. 1st DCA 2022). Pro se appellant seeks review of six non-final orders. All of them dismissed and appellate court cautions pro se litigant of future sanctions and prohibition from future pro se filings. *Dismissed.*

Orth v. Orth, 338 So.3d 363 (Fla. 3rd DCA 2022). Appellant, who is an attorney, attempted to argue MSA was unenforceable where court did not incorporate MSA or retain jurisdiction to enforce. There was a provision in MSA that parties agreed to continuing jurisdiction of the court. This was incorporation by reference. Appellant's argument rejected in this case. *Judge Marcia Del Rey, affirmed in part, reversed in part.*

In Re: Amendments to Fla. Fam. Law of Procedure 12.350, 346 So.3d 1094 (Fla. 2022). Rule tweak on production of things and entry of land. Allows third-party defendant(s) to propound.

In Re: Amendments to Fla. Fam. Law of Procedure 12.911(a – e), 346 So.3d 1073 (Fla. 2022). Revises forms to clarify minor children cannot be subpoenaed to appear in court without a prior court order.

In Re: Amendments to Fla. Fam. Law of Procedure 12.490 and 12.491 and Forms 12.920(a – e), 346 So.3d 1053 (Fla. 2022). Amends rules and forms in accordance with recent rule changes. Now referred to as a Motion to Vacate instead of exceptions to a report.

Fletcher v. McCulloch, 333 So.3d 1143 (Fla. 4th DCA 2022). Trial court erred summarily denying exceptions without a hearing. *Judge Susan Alspector, reversed and remanded.*

Sahmoud v. Marwan, 338 So.3d 29 (Fla. 3rd DCA 2022). Writ of certiorari denied when court granted motion to compel and required party to produce passport. *Judge David H. Young, petition denied.* Network Comm of N.W. Florida v. DOR, 334 So.3d 707 (Fla. 1st DCA 2022). Right of privacy and protecting financial information applies to individuals, not businesses. *Petition Denied*

Belanger v. Belanger, 334 So.3d 361 (Fla. 4th DCA 2022). Trial court affirmed for denying continuance, after attorney withdrew with client's consent. *Judge Cynthia L. Cox, affirmed.*

Hodge v. Babcock, 340 So.3d 521 (Fla. 3rd DCA 2022). Trial court erred changing temporary custody when matter was not noticed for hearing. *Judge Marcia Del Rey's order, quashed.*

Tampa Park Apartments, Inc. v. Berry-Andrews, 334 So.3d 668 (Fla. 2nd DCA 2022). Writ of certiorari granted quashing discovery order allowing production of non-parties' financials, without an evidentiary hearing to determine relevance. *Judge Robin F. Fuson's order quashed.*

Rai v. Rai, 334 So.2d 359 (Fla. 5th DCA 2022). Party has 20 years from date of judgment to enforce. *Judge Diana M. Tennis, affirmed.*

Schneiderman v. Baer, 334 So.3d 326 (Fla. 4th DCA 2022). Trial court erred granting motion to dismiss, relying on information outside the four corners of the pleading when considering the motion to dismiss. A non-party to the dissolution, who is not an intended third-party beneficiary, is without authority to set aside or modify final judgment of dissolution. *Judge Charles E. Burton, affirmed in part, reversed in part.*

Aquino de Oliveira v. Sim, 338 So.2d 1020 (Fla. 3rd DCA 2022). Court erred denying motion to quash service when no summons was issued or served. *Judge Victoria del Pino, reversed.*

Toledano v. Garcia, 338 So.3d 1009 (Fla. 3rd DCA 2022). Any issue a magistrate rules on that was not properly referred to the magistrate is a nullity. *Judge Bernard S. Shapiro, affirmed in part, reversed in part.*

Graham v. Graham, 333 So.2d 794 (Fla. 5th DCA 2022). Trial court erred entering orders on case that had already been dismissed for lack of jurisdiction. *Judge Diana M. Tennis, reversed.*

In Re: Amendments to Fla. Fam. Law of Procedure 12.510, 335 So.3d 90 (Fla. 2022). Summary judgment rule modified to include detailed instructions for pro se litigants, and prevents summary judgment motions from being filed while mandatory discovery pending.

Payne v. Koch, 332 So.3d 1132 (Fla. 5th DCA 2022). Trial court erred excluding body cam video footage at injunction hearing when there was no discussion of whether respondent would be prejudiced. *Judge Susan Stacy, dismissal of injunction, reversed.*

Saario v. Tiller, 333 So.3d 315 (Fla. 5th DCA 2022). Court adopting parties' one-page equitable distribution sheet, after both parties had ability to submit and comment, was not a *Berg-Perlow* violation. *Judge Michael J. Rudisill, affirmed.*

Rich v. Rich, 337 So.3d 138 (Fla. 2nd DCA 2022). Trial court erred granting summary judgment declaring certain assets non-marital when there was a dispute of fact. Trial court erred in disregarding the "dumpster documents," which were documents obtained from dumpster behind the husband's forensic accountant's office, when the authenticity was not challenged. *Judge Susan St. John, affirmed in part, reversed in part.*

Merli v. Merli, 332 So.3d 1020 (Fla. 4th DCA 2022). Trial court affirmed for granting wife intestate rights and naming her personal representative when divorce was pending, and marital settlement agreement (MSA) had been signed, and this MSA did not address waiver of death rights. *Judge Mily Rodriguez Powell, affirmed.*

Meruelo v. Meruelo, 337 So.3d 429 (Fla. 3rd DCA 2022). Petition for Certiorari review on third-party motion to stay proceeding until motion to disqualify forensic accountant heard. The court did not depart from essential requirements, as there is no law requiring a stay under these circumstances. *Judge Ivonne Cuesta, reversed.*

In Re: Amendments to Florida Family Laws Rules of Procedure Form 12.902(c), 346 So.3d 1037 (Fla. 2022). Tweaks to child support procedure form.

Kalke v. Kalke, 332 So.3d 1068 (Fla. 2nd DCA 2021). Trial court affirmed for denying motion for continuance after party's third attorney withdrew, with order granting withdrawal stated trial will proceed as set. *Judge Cynthia Newtown, affirmed.*

Smith v. Short, 332 So.2d 1064 (Fla. 2nd DCA 2021). Injunction issued as a result of former husband violating a non-disparagement clause concerning former wife's business was overbroad when it precluded former husband from posting anything on social media, no matter what it concerns, and removing all previous social media posts, no matter what they concern. Injunction must be narrowly-tailored to balance the desire to protect the person seeking the injunction, with the need to safeguard the first amendment rights of the person whose activities are being restricted. *Judge John S. Carlin, affirmed in part, reversed in part.*

Relocation:

White v. Lee-Yuk, 47 Fla.L.Weekly D1928 (Fla. 3rd DCA 2022). Putative natural father has standing to object to relocation in tri-custodial parenting arrangements. *Judge Samantha Ruiz Cohen, affirmed.*

Mignott v. Mignott, 337 So.3d 408 (Fla. 3rd DCA 2021). Trial court erred granting relocation based on fact father had plane tickets to travel the following morning with child. Trial court failed to consider all statutory factors required in Fla. Stat. §61.13001(7). *Judge Bernard S. Shapiro, reversed.*

Same-Sex:

Stabler v. Spicer & Spicer, 47 Fla.L.Weekly D2230 (Fla. 1st DCA 2022). Same sex partner, who is not the biological parent, but had been a de facto parent that participated and supported raising the child pursuant to a mediation agreement, had no legally enforceable rights to the child. *Judge Ross M. Goodman, reversed.*

Support:

Shenoi v. Shenoi, 345 So.3d 982 (Fla. 2nd DCA 2022). Award of retroactive support remanded when court did not take into consideration amounts paid for the child by the husband during the retroactive period. *Judge Cynthia J. Newton, reversed in part, affirmed in part.*

Tinoco v. Lugo, 342 So.3d 845 (Fla. 2nd DCA 2022). Courts have disapproved child support offsets that imperil ongoing financial support for child. Even though father had significant support arrearages, the court could not make an offset that would deprive child of support for years without specifying compelling and equitable criteria to justify set off. The court should cap the amount to be deducted to ensure child's needs are met while simultaneously amortizing the amount of child support owed. *Judge Michael E. Raiden, affirmed in part, reversed in part.*

McDaniel v. McDaniel, 340 So.3d 561 (Fla. 2nd DCA 2022). Trial court erred using wrong amount for husband's income and including reimbursements that did not reduce his cost of living. *Judge Wesley D. Tibbals, affirmed in part, reversed in part.*

Dorvilien v. Verty, 335 So.3d 146 (Fla. 4th DCA 2022). Trial court correctly calculated child support, but erred by failing to attach guidelines to the judgment. Remanded back to the court to attach child support guidelines worksheet to judgment. *Judge Renatha Francis, affirmed in part, reversed in part.*

Seith v. Seith, 337 So.3d 21 (Fla. 4th DCA 2022). Trial court erred using wrong number of overnights in calculation, getting pro rata on collateral expenses wrong, and failing to enter an IWO. *Judge Michael J. McNicholas, affirmed in part, reversed in part.*

Lifaite v. Charles, 338 So.3d 271 (Fla. 4th DCA 2022). Trial court erred failing to use correct income and to include daycare costs in support calculation. Trial court also erred in failing to award retroactive support, when there was a demonstrated need. *Judge Karen Miller, affirmed in part, reversed in part.*

Boulos v. Rubio, 338 So.3d 1014 (Fla. 3rd DCA 2022). Marital Settlement Agreement (MSA) provided if parties couldn't agree on private school and costs, these issues would be presented to the court for determination. Trial court affirmed for deciding issue in accordance with "Brennan" elements: (1) parent has the ability to pay; (2) expense in accordance with families established standard of living; and (3) attendance is in child's best interest. *Judge Victoria del Pino, affirmed.*

Temporary Relief:

Alizzi v. Alizzi, 47 Fla.L.Weekly D2287 (Fla. 4th DCA 2022). Even though wife overstated her expenses, the court erred awarding her an amount of support not supported by evidence. The court also erred denying wife temporary attorney fees because the wife showed a net worth of \$3.8 million. \$3.5 million of that net worth was the value of the house, and wife did not have control over other assets. *Judge Laura Johnson, reversed.*

Shaw v. Shaw, 337 So.3d 61 (Fla. 4th DCA 2022). Trial court erred by failing to calculate alimony and child support separately. Thus, the trial court's award of undifferentiated support was erroneous. *Judge James L. Martz, reversed in part, affirmed in part.*

Summary of 2022 Florida Bar Disciplinary Proceedings

Stefan E. McHardy, 15800 Pines Blvd., Ste. 300, **Pembroke Pines**, **permanently disbarred** as of an August 25 court order. (Admitted to practice: 2011) Despite being disbarred, McHardy continued to hold himself out on his real estate website as “The Listing Lawyer,” and publish a blog in which he dispensed legal advice. (Case No: [SC22-819](#))

Kelly Anne McCabe, 535 Central Ave., Suite 435, St. Petersburg, McCabe was **found in contempt and precluded from seeking readmission from a previously imposed disbarment** effective immediately following a Jan. 19 court order. (Admitted to practice: 2004) McCabe failed to respond to official Bar inquiries in eight Florida Bar investigations. The Florida Bar filed a Petition for Order to Show Cause, to which McCabe failed to respond. (Case No: SC21-1597)

James Patrick Woods, 1416 E. Concord St., **Orlando**, **permanently disbarred** effective immediately following a March 7 court order. (Admitted to practice: 1996) Woods received a disciplinary revocation from the practice of law with leave to seek readmission after five years by court order dated November 12, 2015. Woods subsequently violated the court’s order of disciplinary revocation by collecting funds from a client, by holding himself out as an attorney, and by failing to provide The Florida Bar with the mandatory quarterly reports as required by Rule 3-6.1(e). (Case No: SC21-1689)

Kenneth Ulysses Pinos, 13255 S.W. 137th Ave., Suite 204, **Miami**, **disbarred**, effective 30 days following an October 27 court order. (Admitted to practice: 2008) Pinos was retained in two matters but failed to maintain adequate communication with clients and failed to diligently pursue their legal matters. Pinos failed to participate in the Bar’s investigation or in the proceedings before the referee. (Case No: [SC22-394](#))

Mary Michele Hudson, 4440 PGA Blvd., Ste. 600, **Palm Beach Gardens**, **disbarred**, effective immediately from November 23 order, (Admitted to practice: 2011) Hudson represented a spouse in post dissolution matters. The court found that representation to be incompetent, vexatious, and in bad faith. Fla. Stat. 57.105 sanctions were imposed against Hudson and her client and Hudson has failed to pay the sanction. It is believed that Hudson left the jurisdiction but failed to provide any contact information with the Bar. Hudson also failed to appear throughout the disciplinary process, despite great efforts by the Bar to locate her. She was previously found in contempt for failing to respond to the Bar and providing the required affidavit pursuant to the order of the Florida Supreme Court. (Case No. [SC22-743](#))

S. A. Siddiqui, 3840 Belfort Rd., Suite 302, **Jacksonville**, **disbarred** effective immediately following a July 28 court order. (Admitted to practice: 2005) Siddiqui was held in contempt of the court's order dated December 20, 2021, for failing to comply with Rule 3-5.1(h) requirements of notifying clients, opposing counsel and tribunals of his suspension. (Case No: [SC22-688](#))

Arthur Joseph Morburger, 5255 Collins Ave Apt 5J, **Miami Beach**, **disbarred** effective immediately as of an August 25 court order. (Admitted to practice: 1973) Morburger neglected to take measures to protect third party funds held in trust despite being on notice that several unauthorized checks had been negotiated against the account, thereby depleting a portion of the trust funds. Despite denying knowledge as to the recipient of the converted trust funds, in fact the funds had been deposited into an account belonging to Morburger's client. He also made multiple misrepresentations to the referee during the course of the disciplinary proceedings. (Case No: [SC21-900](#))

Erika Lynn Muller, 110 SE 6th Street, Suite 2700, **Ft. Lauderdale**, **disbarred** effective 30 days following an August 25 court order. (Admitted to practice: 2008) While acting as an insurance defense attorney, Muller engaged in a pattern of neglect and fraudulent conduct. Muller made repeated verbal and written misrepresentations in an attempt to conceal her neglect. Muller also fabricated documents, including counterfeit settlement checks and falsified court documents. Muller's misconduct led her to resign from her law firm. Muller failed to participate in the disciplinary proceeding, she is delinquent in membership fees, and she failed to update her record bar address. (Case No: [SC22-221](#))

Melanie L. Johnson, 4790 Longbow Dr., **Titusville**, **disbarred** effective immediately following a July 14 court order. (Admitted to practice: 2004) Johnson misappropriated client funds. In response to the Bar's request for records needed to perform a compliance audit of her law office trust account, Johnson reconstructed her records and submitted records to the Bar that contained false and misleading information. (Case No: [SC21-1675](#))

John Hadsall, 18198 3rd St. E., **Redington Shores**, **disbarred**, effective 30 days following a July 7 court order. (Admitted to practice: 1980) Hadsall was found to have improperly transferred assets from the estate of his mother for personal use. He failed to show by clear, satisfactory, and convincing evidence that he acted in good faith throughout the transactions and failed to show that his mother acted freely, intelligently, and voluntarily in gifting him funds from her accounts. Hadsall subsequently attempted to render himself judgment proof to thwart the estate's attempt to recoup the funds. (Case No: [SC21-1444](#))

James F. Feuerstein III, 22724 Stallion Dr., **Sorrento, disbarred** effective immediately per a July 21 court order as Feuerstein is currently suspended for 91 days (by court order dated April 21). (Admitted to practice: 1987) Feuerstein failed to respond to official Bar inquiries in three separate Bar matters and failed to file a response to the Court's Order to Show Cause. (Case No: **SC22-618**)

Jason Edward Rheinstein, P.O. Box 1369, **Severna Park, MD, disbarred** effective 30 days following a May 20 court order. (Admitted to practice: 2008) Rheinstein was found to have filed numerous pleadings lacking merit in violation of rules of procedure in both federal and state cases. Rheinstein also filed numerous frivolous pleadings and took positions unsupported by the facts or the law. Rheinstein violated the rules by attempting to prove an elaborate conspiracy theory in order to force a settlement, as well as issuing unsubstantiated accusations against his legal opponent regarding a fraud scheme that led a court to believe the opponent was under federal investigation. Rheinstein also engaged in a series of actions, including threatening to report his opponent's attorneys to the Attorney Grievance Commission if they refused to drop an appeal or withdraw from the case, making accusations of ex parte communication with the clerk's office in an effort to manipulate the trial record, and threatening opposing counsels with claims related to their clients' alleged fraudulent conduct. This is a reciprocal discipline action based on an order from The Court of Appeals of Maryland dated January 24, 2020. (Case No: **SC20-1614**)

Kenneth Carl Wright, 121 South Orange Ave., Suite 1500, **Orlando, disbarred** effective immediately following a May 12 court order. (Admitted to practice: 1988) Wright was arrested for suspected shoplifting, for trespassing and resisting arrest without violence on March 10, 2020. In August of 2020, Wright entered a plea to the trespass charge and received a time served jail sentence and a withhold of adjudication. The resisting without violence charge was dismissed by the state pursuant to Wright's plea agreement. Wright failed to advise The Florida Bar of his criminal plea. In September 2020, Wright was arrested in Denver, Colorado, for burglary. Wright failed to appear for his court proceedings in relation to that charge. He absconded and is subject to a warrant for arrest as a fugitive from justice. Wright did not participate in the Bar's disciplinary proceedings against him. (Case No: **SC21-1215**)

Sandra Coracelin, 16211 S.W. 18th St., **Miramar, disbarred** effective immediately following a May 23 court order. (Admitted to practice: 1997) Coracelin filed her petition for reinstatement from a three-year suspension. After determining Coracelin acted in contempt of the two previous orders of suspension, the Bar filed a petition for contempt and order to show cause. Coracelin committed several misrepresentations to the Bar during the

reinstatement proceedings and to an employer during her suspension, including attempting to tamper with a witness and thwart The Florida Bar's investigation into her conduct during her suspension. Coracelin also omitted three legal employments, and other jobs, from her petition for reinstatement and failed to disclose the income derived from them. (Case No: [SC20-1473](#))

Ralph Cameron Colledge, 3475 Bravada Way, **Naples**, **disbarred** effective immediately following an April 21 court order. (Admitted to practice: 2017) Colledge, on August 26, 2020, was charged with two counts of Sexual Battery, Child Less than 12 Years of Age, a capital felony. On October 14, 2021, Colledge entered a plea of no contest to two counts of the lesser included charge of Attempted Sexual Battery on a Child Less than 12 Years of Age, a first-degree felony. Colledge was adjudicated guilty and sentenced to 20 years for each of the two counts to run concurrently, followed by 10 years of sex offender probation. (Case No: SC21-1556)

Gregory Thomas Wilson, P.O. Box 1071, **Panama City**, **disbarred** effective nunc pro tunc to October 27, 2018, the date of his suspension following a January 27 court order. (Admitted to practice: 2003) Wilson was felony suspended on October 27, 2018, for one felony count of possession of contraband at a county detention facility and a second count of misdemeanor perjury. (Case No: SC21-1567)

George Edward Ollinger III, 100 Rialto Pl., Suite 700, **Melbourne**, **disbarred** effective immediately following a March 24 court order. (Admitted to practice: 1977) Ollinger engaged in patterns of misconduct including misappropriating clients' funds, commingling attorney and client funds, and engaging in conflicts of interest. Ollinger was emergency suspended by court order dated January 19, 2021, for causing great public harm. After the effective date of his emergency suspension, Ollinger continued practicing law, resulting in The Florida Bar filing contempt proceedings against him. The Supreme Court of Florida consolidated the two cases. (Case Nos: SC21-28 and SC21-959)

Phillip Timothy Howard, 3122 Mahan Dr., Suite 801, **Tallahassee**, **disbarred** effective 30 days following a March 24 court order. (Admitted to practice: 1987) Howard settled a worker's compensation case for over \$630,000 dollars. Howard was on probation for trust account violations at the time and did not have a trust account when he received the settlement check. He had the client sign a document purporting that the funds should not go into a trust account and should be managed by Howard at his discretion. The funds were deposited into Howard's operating account. Howard took a loan of \$200,000 from client, which was never repaid prior to the client's death. He also paid himself a \$56,000 lien reduction fee for negotiating the client's hospital bills,

even though the bills were paid off by charities and/or written off by the hospital prior to the settlement. In a second matter, Howard failed to move a client's tobacco case along in a timely manner. Four years later, after the client's health had deteriorated, Howard sought to take a deposition to preserve the client's testimony. Howard fabricated errata sheets, which he had his client sign. The client died just days after the depositions concluded. Howard subsequently filed a probate case on behalf of the client's widow. He failed to provide adequate representation or appear at a hearing scheduled by the court, resulting in a dismissal of the probate case. After the client terminated Howard, he attempted to hire another attorney to handle the probate case. He failed to inform that attorney that the case had been dismissed and that he had been terminated by the client. The two cases have been consolidated. (Case Nos: SC19-488 & SC19-1570)

Basil Von Lashley, 7922 W. Chelsea Court, Homosassa, **disbarred** effective immediately following a Jan. 20 court order. (Admitted to practice: 2011) On August 26, 2021, Lashley was adjudicated guilty of eight counts of possession of child pornography, a third-degree felony. On August 26, 2021, Lashley was sentenced to four years imprisonment as to each count, to run concurrently, with credit for 714 days of time served, to be followed by one year of sex offender probation as to each count, to run concurrently. Lashley also was fined and was required to be designated and registered as a sexual offender. Additionally, Lashley was required to undergo a psychosexual evaluation and treatment. (Case No: SC21-1536)

Enrique Miranda, 7820 SW 117th St., **Miami**, **disbarred** effective immediately following a November 24 court order. (Admitted to practice: 1984) Miranda inappropriately disbursed escrow funds; made misrepresentations about the funds held in trust; and violated the fiduciary duty owed to both the remitter and the beneficiary of the funds deposited. Miranda also facilitated fraud by improperly disbursing funds in a real estate transaction. (Case No: SC21-183).

Kelly Anne McCabe, 535 Central Ave., Suite 435, **St. Petersburg**, **disbarred** effective immediately following a November 30 court order. (Admitted to practice: 2004) McCabe was held in contempt of the court's order dated June 17, 2021, for failing to comply with Rule 3-5.1(h) requirements of notifying clients, opposing counsel and tribunals of her suspension. (Case No: SC21-1371)

Stuart Jared Starr, 5241 S.W. 9th St., **Ft. Lauderdale**, **disbarred** effective immediately following a December 15 court order. (Admitted to practice: 1970) Starr was held in contempt of the Court's order dated February 18, 2021, for failing to comply with Rule 3-5.1(h) requirements of notifying clients, opposing counsel and tribunals of his suspension. (Case No: SC21-1279)

Douglas James Barnard, 76 4th St. N., Unit 1023, **St. Petersburg**, **disbarred** effective immediately following a December 16 court order. (Admitted to practice: 1992) Barnard became CLE delinquent and ineligible to practice law in October 2019. Thereafter, he accepted legal fees and engaged in the practice of law in multiple clients' matters while suspended due to CLER delinquency. In at least one client matter, Barnard failed to perform the legal services he was hired to complete, which caused harm to a client. Barnard also failed to reasonably communicate with the client. Barnard did not respond to official Bar inquiries in at least two matters, and did not file an Answer to the Bar's complaint. (Case No: SC21-308)

Valerie Kaye Downing, 1460 Golden Gate Pkwy., Suite 103-220, **Naples**, **disbarred** effective 30 days following a December 16 court order. (Admitted to practice: 2004) Downing failed to competently and diligently represent a client in an eviction matter, resulting in an order of monetary sanctions for payment of the opposing party's attorney's fees being issued against Downing and her client. Downing also failed to participate in the disciplinary proceedings. (Case No: SC21-856)

Cesar J. Dominguez, 2000 Ponce De Leon Blvd., Suite 628, **Coral Gables**, **disbarred effective 30 days** following a November 23 court order. (Admitted to practice: 1999) Dominguez, in the first matter, repeatedly represented to the trial court and parties involved that he would not disburse the escrow funds during the pendency of the litigation and that the funds remained in trust. However, Dominguez had already disbursed the funds to his client at the time he made the representations. Dominguez repaid the funds to the complainant after the Bar grievance was filed. In the second matter, Dominguez sent two separate escrow receipt verifications acknowledging that he received the escrow funds. However, he never deposited any of the buyer's earnest deposit funds he acknowledged receiving into his trust account. He maintained that he was unaware he had to deposit the checks and admitted that he returned the checks to his client, the buyers despite the escrow agreement expressly requiring the funds to be deposited. A judgment was entered in favor of the seller in which Dominguez was held jointly and severally liable for the funds with his clients. Dominguez has repaid a portion of the funds. (Case No: SC20-621)

Eric Matthew Lipman, (address confidential), **permanent revocation**, effective December 19, 2022. (Admitted to practice: 1992) In December 2021, Lipman pleaded guilty to one count of Conspiracy to Distribute, Receive, and Possess Child Pornography and Distribution, Receipt, and Possession of Child Pornography and one count of Distribution of and Attempt to Distribute Child Pornography, both felonies. On April 21, 2022, respondent was sentenced to 72 months in prison, followed by nine years' supervision upon release. (Case No: **SC22-1131**)

Mark Edward Kellogg, 5501 Backlick Rd Ste 220, **Springfield, VA**, **disciplinary revocation** without leave to seek readmission, effective 30 days following a November 10 court order. (Admitted to practice: 1972) Kellogg consented to a revocation of his law license in Virginia, which resulted from his representation of a fellow attorney and long-time friend in a probate matter. That attorney drafted a will for an elderly client weeks after she suffered a stroke. He named himself attorney for the estate, executor of the estate, and the primary beneficiary. The client died 10 days after the will was executed. Kellogg admitted that he did not disclose to the beneficiaries his concerns about the validity or enforceability of the will, nor did he disclose his concerns about his client's conflict of interest. (Case No: [SC22-1306](#))

Arnold Dennis Hessen, 3510 Rockerman Rd., **Miami**, **disciplinary revocation** without leave to seek readmission, effective 30 days following a November 3 court order. (Admitted to practice: 1968) Following allegations of misappropriation of funds in a related disciplinary proceeding, Hessen submitted a petition for permanent disciplinary revocation which was approved by the Florida Supreme Court. (Case No: [SC22-1129](#))

Robert Pereda, 1420 Celebration Blvd., Suite 200, **Celebration**, **disciplinary revocation** without leave to seek readmission effective immediately following a September 8 court order. (Admitted to practice: 2010) After Pereda received an emergency suspension, The Florida Bar submitted a petition for disciplinary revocation in response to allegations of misappropriation of several clients' trust funds for his own benefit or the benefit of his firm. Pereda is believed to have abandoned his law practice, abused the legal process, and failed to respond to the Bar's subpoena and requests for information. (Court Case No: [SC22-896](#))

Robert B. Cook, 17 Bay Harbor Rd., **Tequesta**, **disciplinary revocation** without leave to seek readmission, effective immediately following a September 22 court order. (Admitted to practice: 1971) Cook had matters pending at the grievance committee level regarding the same civil case, establishing a pattern of neglect. Cook also had findings of contempt after he failed to appear at hearings and his client failed to appear for deposition. Additionally, the Bar filed a contempt matter in the Florida Supreme Court due to petitioner's failure to comply with the conditions of his recent public reprimand. (Court Case No: [SC22-977](#))

Kelley Andrea Bosecker, 1400 Gandy Blvd. N., Unit 1504, **St. Petersburg**, **disciplinary revocation** without leave to apply for readmission, effective immediately following a September 1 court order. (Admitted to practice: 1984) At the time of the disciplinary revocation, charges pending against Bosecker involved her engagement in the unlicensed practice of law in contempt of the

Supreme Court of Florida's order of interim suspension in case number SC16-1387 that ultimately resulted in her disbarment. (Court Case No: [SC22-891](#))

Gus Vincent Soto, P.O. Box 13979, **Tallahassee, disciplinary revocation without leave to apply for readmission and payment of restitution** effective immediately following a June 16 court order. (Admitted to practice: 1984) Soto was previously emergency suspended from the practice of law on April 20 for misappropriating settlement funds from multiple clients in excess of \$390,000.00. (Case No: [SC22-505](#))

Richard Wasserstein, 1124 Kane Concourse, **Bay Harbor Islands, disciplinary revocation** without leave to apply for readmission effective 30 days following an August 25 court order. (Admitted to practice: 1986) Wasserstein submitted a petition for disciplinary revocation following his February 2, 2022, plea of guilty to the charge of conspiring to launder money in the United States District Court for the Southern District of Florida. (Case No: [SC22-686](#))

Jeffrey Alan Siegmeister, P.O. Box 329, **Live Oak, permanent disciplinary revocation**, effective 30 days following an April 28 court order. (Admitted to practice: 1994) On February 22, 2022, Siegmeister pled guilty to the following: conspiracy to use a facility of commerce for unlawful activity, in violation of 18 U.S.C. §§ 371 and 1952(a)(3); conspiracy to interfere with commerce by extortion, in violation of 18 U.S.C. § 1951(a); wire fraud, in violation of 18 U.S.C. § 1343; and filing a false tax return, in violation of 26 U.S.C. § 7206(1). (Case No: [SC22-307](#))

Brandon James Vitola, 425 W. 200 N, Unit 287, **Salt Lake City, UT, disciplinary revocation** with leave to seek readmission after five years, effective 30 days following a November 17 court order. (Admitted to practice: 2018) While employed by the Office of the State Attorney, Vitola allegedly stole government-owned reference books and sold them on eBay for profit. Vitola was criminally charged by Information with dealing in stolen property, a second degree felony, grand theft, a third degree felony, and engaging in a scheme to defraud, a third degree felony. (Case No: [SC22-1109](#))

Gordon Thomas Nicol, 8845 Chambore Dr., **Jacksonville, disciplinary revocation** with leave to seek readmission effective 30 days following a September 29 court order. (Admitted to practice: 1989) Nicol's law firm failed to handle multiple client matters in a proper manner. Nicol failed to properly supervise non-lawyer staff and associates who were assigned to these cases. Nicol had no prior disciplinary history. (Case No: [SC22-981](#))

Jacqueline Marie Kinsella, P.O. Box 1104, **Goldenrod**, **disciplinary revocation** with leave to seek readmission after five years, effective immediately following an October 27 court order. (Admitted to practice: 2016) While serving a three-year suspension from the practice of law, Kinsella worked for a law firm as a paralegal. Kinsella had impermissible direct contact with over 150 clients of the firm. She also failed to file the required employment reports with The Florida Bar. (Case No: [SC22-1021](#))

Calvin Carl Curtis, 1135 E. South Temple, **Salt Lake City, UT**, **disciplinary revocation** with leave to seek readmission effective immediately following a September 1 court order. (Admitted to practice: 2012) In the United States District Court, District of Utah, Case Number 2:21-cr-00464, Curtis pled guilty to one count of wire fraud, a felony violation of 18 U.S.C. §1343; and one count of money laundering, a felony violation of 18 U.S.C. §1957. (Case No: [SC22-697](#))

Michael Jay Meadors, 500 E. University Ave., Suite B, **Gainesville**, **permanent disciplinary revocation** effective 30 days following an April 28 court order. (Admitted to practice: 2003) Meadors is charged by criminal information with one count of child sexual battery (Count I, Capital Felony), and 21 counts of promoting 23-1 and possessing a sexual performance by a child (Counts II-X, First Degree Felonies, and XI-XXII, Second Degree Felonies). (Case No: [SC22-245](#))

Sheldon J. Burnett, 201 3rd St. S.W., **Albuquerque, New Mexico**, **disciplinary revocation** without leave to seek readmission effective 30 days following a March 3 court order. (Admitted to practice: 1996) Burnett faces a four-count complaint pending before a referee alleging misappropriation and/or mishandling of trust funds. There are three additional matters pending at staff level alleging the passing of checks with intent to defraud, improper disbursement of trust funds, and failure to communicate all settlement offers to his client and/or that he was not honest with opposing counsel in regard to the settlement negotiations. (Case No: SC21-1714)

Charles H. Burns, 205 Golfview Dr., **Tequesta**, **disciplinary revocation** without leave to seek readmission effective 30 days following a May 19 court order. (Admitted to practice: 1980) Burns was the subject of a Bar grievance that involved allegations of misappropriation. (Case No: [SC22-227](#))

Aaryn April Fuller, 4302 Fox Hollow Circle, **Casselberry**, **disciplinary revocation** with leave to apply for readmission effective immediately following a September 1 court order. (Admitted to practice: 2003) At the time of the disciplinary revocation, charges pending against Fuller involved accusations of using client funds for purposes other than the specific purpose for which they

were intended, failing to diligently pursue a client's case, and failing to adequately communicate with a client. (Court Case No: [SC22-751](#))

Ryan Scott Hobby, 3154 Glendale Blvd., #1048, **Los Angeles, CA**, **disciplinary revocation** with leave to apply for readmission effective 30 days following a September 15 court order. (Admitted to practice: 2005) At the time of the disciplinary revocation, charges pending against Hobby involved accusations of using client funds for purposes other than the specific purpose for which they were intended, failing to communicate with clients, and neglecting several client cases. (Court Case No: [SC22-971](#))

James Russell Leone, 790 S. Atmore Cir., **Deltona**, **permanent disciplinary revocation** effective immediately following an April 21 court order. (Admitted to practice: 1985) Leone engaged in the unlicensed practice of law in contempt of the court's order granting his disciplinary revocation in SC20-1553. (Case No: [SC22-318](#))

Gary W. Kovacs, Main Detention Center, P.O. Box 24716, West Palm Beach, **permanent disciplinary revocation** effective immediately following a Jan. 20 court order. (Admitted to practice: 1993) Kovacs continued to practice law and received payment for legal services after his disciplinary revocation in which he agreed to cease the practice of law beginning on January 4, 2018, and through the date that the Court accepted his disciplinary revocation. Kovacs has been criminally charged for that misconduct. (Case No: SC 21-1613)

Chris Ambrosio, 5091 Fairfield Dr., **Ft. Myers**, **disciplinary revocation** with leave to seek readmission, effective December 12, 2022. (Admitted to practice: 2005) On or about September 12, 2022, Ambrosio entered a plea of guilty to one count of felony child abuse under §827.03(1)(b), Fla. Stat., in Duval County Case number 16-2021-CF-002764-AXXX-MA. (Case No: [SC22-1244](#))

Thomas Edward Stone, P.O. Box 292, **Madison**, **disciplinary revocation** with leave to seek readmission effective 30 days following a September 29 court order. (Admitted to practice: 1976) Stone, an assistant public defender, was assigned to represent a defendant in several criminal matters that included felonies. The client violated probation related to her plea of the criminal matters. Stone was again appointed to represent the client in the violation of probation matters. Thereafter, Stone admitted that he engaged in a sexual relationship with the client who he still represented at the time. The client reported she felt pressured to engage in the inappropriate relationship because Stone was handling the client's criminal matters. (Case No: [SC22-945](#))

Thomas Edmondson Whigham Jr., 4310 W. Spruce St., Unit 238, **Tampa**, **disciplinary revocation** with leave to seek readmission effective 30 days following a September 29 court order. (Admitted to practice: 2013) Whigham was previously suspended for 30 days and placed on probation conditioned on his compliance with a Florida Lawyer's Assistance, Inc., rehabilitation contract. Thereafter, Whigham is alleged to have failed to comply with the terms of his FLA, Inc., contract. During the Bar's investigation of Whigham's non-compliance, he filed a Petition for Disciplinary Revocation with Leave to Seek Readmission. (Case No: [SC22-979](#))

James Santos Wilkie, 1333 S. Ocean Blvd., Ste. 1323, **Pompano Beach**, **disciplinary revocation** with leave to seek readmission after five years following an October 27 court order. (Admitted to practice: 2013) Wilkie agreed to a disciplinary revocation concerning the misuse of client funds. (**Case No:** [SC22-1009](#))

Michael D. Stewart, 325 S. Biscayne Blvd., Apt. 3323, **Miami**, **disciplinary revocation** with leave to seek readmission after five years effective immediately following a September 22 court order. (Admitted to practice: 2005) Stewart is the subject of numerous grievances involving allegations including, but not limited to, client neglect, failure to communicate, failure to abide by client decisions, failure to supervise nonlawyer staff, and conflict of interest. The disciplinary revocation petition was tendered in order to resolve all pending cases against Stewart. (Court Case No: [SC22-978](#))

Susan Jane Best, 1869 North Crystal Lake Dr., **Lakeland**, **disciplinary revocation** with leave to apply for readmission after five years, effective 30 days following a September 1 court order. (Admitted to practice: 1989) Best misappropriated funds from her law office trust account, failed to maintain the minimum required trust accounting records, and failed to follow the minimum required trust accounting procedures. (Court Case No: [SC22-797](#))

Lawrence Bruce Newman, 1900 Glades Rd., **Boca Raton**, **disciplinary revocation** with leave to apply for readmission effective April 27 following a May 12 court order. (Admitted to practice: 1974) Newman agreed to a disciplinary revocation concerning the misuse of funds. (Case No: [SC22-402](#))

Janet Peralta Lucente, 1525 N. Park Dr., Suite 102, **Weston**, **disciplinary revocation** with leave to seek readmission after five years effective immediately following an April 28 court order. (Admitted to practice: 1997) Lucente engaged in the practice of law after being suspended for 91 days by filing pleadings furthering litigation and held herself out as an attorney in said pleadings. Lucente failed to provide notice of her suspension and a copy of the order to a client and failed to withdraw from the matter prior to the effective date of her

suspension. Lucente also made a misrepresentation in her affidavit to The Florida Bar when she stated she had no clients when the order of suspension was issued. (Case No: [SC22-352](#))

Diane Joy Harrison, 6719 Bobby Jones Ct., **Palmetto, disciplinary revocation** with leave to seek readmission effective immediately following a May 5 court order. (Admitted to practice: 2000) Harrison was involved in one disciplinary matter pertaining to an SEC judgment entered against her. (Case No: [SC22-386](#))

Sean Patrick Sheppard, 110 E. Broward Blvd., Suite 1570, **Ft. Lauderdale, disciplinary revocation** with leave to seek readmission not sooner than September 3, 2026, effective immediately following a February 24 court order. (Admitted to practice: 1995) Sheppard's agreement to add an additional year for him to have the opportunity to petition for readmission was based on client contact after the date Sheppard agreed to cease the practice of law. (Case No: SC22-35)

John William Schmitz, 801 Brickell Ave., Fl 8, **Miami, disciplinary revocation** effective 30 days following a February 17 court order. (Admitted to practice: 1978) Schmitz engaged in multiple discovery violations and failures to abide by the court's rulings in a circuit court proceeding in which Schmitz is a party in a contentious family business dispute. (Case No. SC21-1712)

Raymond Todd Burbine, P.O. Box 1711, **Dunedin, disciplinary revocation** with leave to seek readmission in five years effective 30 days following a February 17 court order. (Admitted to practice: 2004) Burbine's petition involved allegations regarding the permanent termination of his license to practice before the U.S. Bankruptcy Court due to his failure to represent his clients competently and diligently before the Court. Burbine also was alleged to have failed to competently represent a client in a separate probate matter. (Case No: SC22-58)

Sam Babbs III, 4767 New Broad St., Suite 308, **Orlando, disciplinary revocation** with leave to seek readmission after five years effective, 30 days following a February 3 court order. (Admitted to practice: 2008) Babbs petitioned for disciplinary revocation while the Bar was investigating allegations that he improperly took legal fees intended for his former employer, failed to maintain the required trust account records, failed to follow the minimum trust accounting procedures and negotiated lower payments for clients' medical bills, and failed to account for the difference in funds. In addition, the Bar was investigating allegations that Babbs engaged in a pattern of improperly representing out-of-state clients in their bankruptcy matters in jurisdictions where he was not admitted to practice law. (Case No: SC21-1701)

LaDray Brandan Gilbert, P.O. Box 670, Marianna, **disciplinary revocation** with leave to seek readmission after 5 years, payment of restitution to clients, and payment of disciplinary costs effective 30 days following a Jan. 24 court order. (Admitted to practice: 2009) Gilbert failed to diligently represent his clients and to communicate with them on the status of their cases. In four personal injury cases, Gilbert stole trust funds belonging to the clients for his own benefit and use. In other cases, Gilbert took client funds and failed to pursue the clients' cases. (Case No: SC21-1611)

Brittany Marie Loper, 5534 S.E. 119th Pl., **Jasper, disciplinary revocation** with leave to seek readmission effective 30 days following a December 2 court order. (Admitted to practice: 2013) Loper failed to diligently pursue her clients' matters, failed to maintain communication with the clients, and did not complete the representation for which she had been hired. Further, Loper was arrested in Hamilton County as Brittany Cooper, on two counts of felony forgery and one count of uttering. Loper allegedly forged a notary signature on adoption papers and forged the signature of a judge on a court document. (Case No: SC21-1303)

Evan Scott Kagan, P.O. Box 8756, **Calabasas, CA., disciplinary revocation** effective immediately following a December 16 court order. (Admitted to practice: 2006) Kagan misused trust funds and failed to comply, in full, with a Bar subpoena. (Case No: SC21-1492)

Thomas Jackson Craft, Jr., P.O. Box 4143, **Tequesta, disciplinary revocation** effective immediately following a December 16 court order. (Admitted to practice: 1991) Craft pled guilty plea to the felony of securities fraud in the United States District Court, Southern District of New York. (Case No: SC21-1565)

Jordan Garrett Weinkle, 1688 Meridian Ave., Suite 440, Miami Beach, **disciplinary revocation** with leave to seek readmission after five years effective immediately following a December 2 court order. (Admitted to practice: 2015) Allegations in a related underlying emergency suspension proceeding include misappropriation of funds held in trust to pay property taxes in a mortgage transaction; misrepresentations; and failure to respond to Bar inquiries. (Case No: SC21-1459).

Perry L. Cameron, Jr., 3810 Murrell Rd., Suite 317, **Rockledge, disciplinary revocation** with leave to seek readmission after five years effective 30 days following a December 16 court order. (Admitted to practice: 2011) Cameron misappropriated trust funds by transferring settlement funds, to which he was not entitled, to his operating account and a personal account. Cameron also

used settlement funds to pay liabilities in unrelated client matters. (Case No: SC21-1563)

Shawn Michael Berry, 847 Highland Ave., Apt. 106, **Orlando**, **held in contempt and suspended** until such time as he makes a written response to The Florida Bar's investigative inquiries and until further order of the Supreme Court of Florida, effective 30 days following a November 1 court order. (Admitted to practice: 2009) Berry was found in contempt for noncompliance after failing to respond in writing to the Bar's investigative inquiry related to a complaint filed by a client. (Case No: **SC22-1130**)

Meredith Diane Jones, 207 S. 2nd Street, **Ft. Pierce**, **suspended** until Jones has fully responded in writing to official Florida Bar inquiries, and until further order of the court, effective 30 days following a November 1 court order. (Admitted to practice: 2012) Jones failed to respond, in writing, to two separate inquiries by The Florida Bar. The Bar's investigator also made numerous attempts to contact Jones without success. Jones then failed to respond to an Order to Show Cause issued by the Supreme Court of Florida. (Case No: **SC22-1251**)

Chelsea Elizabeth Haritan, 1950 N.E. 6th St., Unit 262, **Pompano Beach**, **suspended until further notice**, effective 30 days following a November 14 court order. (Admitted to practice: 2012) Haritan failed to respond to The Florida Bar File No. 2023-50,104(17F). The Florida Bar filed its Petition for Contempt and Order to Show Cause on September 9, 2022. The Florida Supreme Court ordered Haritan to show cause by September 27, 2022. Haritan failed to file a response to the court's Order to Show Cause. (Case No: **SC22-1193**)

Timmy W. Cox, Sr., 7401 SW 16th St., **Plantation**, **suspended** until further order of the Court effective immediately following an October 11 court order. (Admitted to practice: 2014) Cox failed to respond to The Florida Bar File No. 2022-50,604(17C). The Florida Bar filed its Petition for Contempt and Order to Show Cause on August 16, 2022, and the Florida Supreme Court ordered Cox to show cause by September 1, 2022. Cox failed to file a response to the Court's Order to Show Cause. (Case No: **SC22-1063**)

Matt Shirk, 25 North Market Street, **Jacksonville**, **suspended** effective 30 days following an August 25 court order. (Admitted to practice: 2000) While serving as the elected Public Defender of the Fourth Judicial Circuit, Shirk engaged in various acts of misconduct that resulted in the Commission on Ethics finding probable cause to believe Shirk had violated Section 112.313(6) and Section 112.313(8) of the Florida Statutes. The Commission on Ethics reported its findings and recommendation to the Governor of the State of

Florida wherein it recommended that Shirk be publicly censured and reprimanded and have a civil penalty in the amount of \$6,000 imposed against him. Shirk hired or directed the hiring of three women by the Office of the Public Defender contrary to the procedures, policies or qualifications, or outside the normal hiring practices. Shirk then engaged in workplace or work-related interactions with these women that were of an inappropriate nature. Shirk also violated Jacksonville City Ordinance 154.107 by serving alcoholic beverages in a city building to several of these women after their work hour. Finally, Shirk revealed information related to the representation of a minor client during an interview with a film crew making a documentary about the client's case. The high-profile generated significant media attention, and Shirk failed to obtain the permission of the client's guardian ad litem or the child's attorney prior to engaging in the interview. (Case No: [SC21-540](#))

Bradley Nephase Laurent, 8615 Commodity Circle, Suite 6, **Orlando, emergency suspended** effective 30 days following a July 14 court order but to cease accepting new clients as of July 14. (Admitted to practice: 2005) Laurent misappropriated client funds from his law office trust account, some of which he repaid from the proceeds of a Paycheck Protection Program loan he obtained on behalf of his law firm for COVID-19 relief. (Case No: [SC22-851](#))

James Santos Wilkie, 1333 S. Ocean Blvd., Suite 1323, **Pompano Beach, emergency suspended** effective immediately following a July 19 court order. (Admitted to practice: 2013) Wilkie misappropriated client settlement funds and made misrepresentations to the Bar during their investigation. (Case No: [SC22-911](#))

Timmy W. Cox, Sr., 7401 S.W. 16th St., **Plantation, suspended** effective immediately following a July 13 court order. (Admitted to practice: 2014) Cox failed to respond to official Bar inquiries. The Bar filed its Petition for Contempt and Order to Show Cause on April 29. The Florida Supreme Court ordered Cox to show cause by May 18. Cox failed to file a response to the court's Order to Show Cause. (Case No: [SC22-598](#))

Robert Pereda, 1420 Celebration Blvd., Suite 200, **Celebration, emergency suspended** effective immediately following a June 17 court order. (Admitted to practice: 2010) Pereda appears to be causing great public harm by misappropriating several clients' trust funds and using them for his own benefit or the benefit of his firm; Pereda is believed to have abandoned his law practice; has abused the legal process, and has failed to respond to the Bar's subpoena and requests for information. (Case No: [SC22-770](#))

Jonathan Benjamin Lewis, 110 SE 6th St., Suite 1700, **Ft. Lauderdale, suspended** effective 30 days following a June 6 court order. (Admitted to practice: 2007) Lewis failed to respond in writing to the official Bar inquiry and failed to respond to the court's Order to Show Cause dated May 2, 2022. (Case No: [SC22-592](#))

Grant Griffith Sarbinoff, 411 N.E. 53rd St., **Miami, indefinitely suspended** effective 30 days following an April 28 court order (Admitted to practice: 2010). Sarbinoff was adjudicated guilty of the following felony offenses: two counts of criminal use of personal identification information; one count of unlawful use of a two-way communications device; and 16 counts of offenses against users of computers. (Case No: [SC22-573](#))

Jonathan Markovich, 250 95th St, **Surfside, indefinitely suspended** effective 30 days from an April 28 court order (Admitted to practice: 2013). Markovich was convicted of one count of conspiracy to commit health care and wire fraud; eight counts of health care fraud; one count of conspiracy to pay and receive kickbacks; one count of payment and offer of kickbacks in exchange for use of services; one count of soliciting and receiving kickbacks; one count of conspiracy to commit money laundering; eight counts of money laundering; and two counts of bank fraud. Markovich was sentenced to 188 months, 120 months, and 60 months of incarceration, all terms to run concurrently. (Case No: [SC22-570](#))

Daniel Markovich, 1151 Poinciana Dr., **Pembroke Pines, indefinitely suspended** effective 30 days following an April 28 court order (Admitted to practice: 2017). Markovich was convicted of one count of conspiracy to commit health care and wire fraud; two counts of health care fraud; one count of conspiracy to pay and receive kickbacks; and two counts of payment and offer kickbacks in exchange for use of services. Markovich was sentenced to 97 months and 60 months of incarceration, all terms to run concurrently. (Case No: [SC22-566](#))

Donald Nathan Jacobson, 555 S.E. 1st Ave., **Ft. Lauderdale, emergency suspended** effective immediately following a March 10 court order. (Admitted to practice: 1990) Jacobson was arrested on charges of attempted murder and aggravated battery causing bodily harm. Jacobson is currently incarcerated on a no bond status for causing/caused great public harm as a result of his acts of violence and the pending charges. (Case No: SC22-309)

Beatrice Bijoux, 300 SE 2nd St., Suite 600, **Ft. Lauderdale, emergency suspended** effective immediately following a March 21 court order. (Admitted to practice: 2016) Bijoux was charged on March 10 with four counts of Attempted First Degree Murder, one count of Aggravated Assault-Deadly Weapon (Third

Degree Felony), and one count of High Speed or Wanton Fleeing (Second Degree Felony). (Case No. SC22-357)

Grant Griffith Sarbinoff, 411 N.E. 53rd St., **Miami**, **suspended for three years**, effective, nunc pro tunc, May 30, 2022. (Admitted to practice: 2010) Sarbinoff entered a plea of guilty to two counts of criminal use of personal identification information and one count of unlawful use of a two-way communications device, and 16 counts of offenses against users of computers. Adjudication of guilt was withheld except for one count of criminal use of personal identification information. Sarbinoff is currently on probation. (Case No: **SC22-573**)

Joseph Scott Lanford, 3159 Alzante Circle, Suite 102, **Melbourne**, **suspended for three years** effective 30 days following an August 25 court order. (Admitted to practice: 1984) Lanford met with a 78-year-old woman in 2015 because, according to respondent, she wished to amend her revocable living trust and change the lawyer for her trust. The client's revocable living trust had assets of approximately \$3.5 million. Lanford drafted an amended revocable living trust for her that named him as co-trustee with her while she was alive and trustee after her death. He also drafted a power of attorney that named him as her power of attorney. There was no written fee agreement with the client and there is no documentation advising the client of the desirability of seeking the advice of independent legal counsel. Lanford engaged in conflict of interest and self-dealing in regard to a revocable living trust matter for an elderly client. (Case No: **SC21-1008**)

John Gillespie, 252 8th Ave., **Cramerton, NC**, **suspended for three years**, effective immediately following an April 28 court order. (Admitted to practice: 1998) Gillespie engaged in misconduct, including a conflict of interest, by engaging in a sexual relationship with a criminal client that resulted in the birth of a child. Gillespie also made misrepresentations to the Bar during its investigation of this matter. (Case No: **SC20-974**)

Allan Campbell, 1300 South Duncan Dr., Bldg. A, **Tavares**, **suspended for three years** and completion of The Florida Bar's Ethics School effective 30 days following a May 19 court order. (Admitted to practice: 1990) Campbell created a law firm with nonlawyers who were allowed to control Campbell's law firm and the employees of the firm. The nonlawyers engaged in the unlicensed practice of law with respect to both the timeshare exit cases and the mortgage foreclosure cases. Campbell allowed others, including nonlawyers, to file pleadings using Campbell's e-filing credentials without his approval. Campbell made accusations under oath in federal court that he later admitted he did not know whether those accusations were true. Additionally, the nonlawyer employees engaged in negotiations with timeshare resorts, under Campbell's

name as an attorney, located in jurisdictions in which Campbell was not admitted to the practice of law. Campbell allowed the nonlawyers who ran his law firm to advertise and directly solicit potential clients in a manner that was not allowed by the Rules Regulating The Florida Bar. Finally, one of the nonlawyers who ran Campbell's law office told Campbell not to come back that the nonlawyer was changing the locks, preventing Campbell from having access to his own law firm. A new law firm was created with a similar name under a different attorney who continued servicing the cases under Campbell's law firm without any notice to the clients from Campbell or the new attorney. (Case No: [SC21-1495](#))

John H. Faro, 1395 Brickell Ave., Suite 800, **Miami**, **suspended for three years** effective 30 days following a March 28 court order. (Admitted to practice: 1986) Faro failed to maintain reasonable follow up on a patent application and its status, which led to a Notice of Abandonment because no further review was sought by Faro within the time period. Faro was unresponsive to client and failed to communicate the Notice of Abandonment. This is a reciprocal discipline action based on a disciplinary action by the U.S. Patent and Trademark Office (USPTO) in which Faro was suspended for eight months. (Case No: [SC18-1279](#))

Elizabeth Jayne Anderson, 1630 Bridgewater Drive, **Lake Mary**, **suspended for three years** retroactive to November 7, 2019, and suspended for 91 days to run consecutive to the three-year suspension, effective immediately following a March 7 court order. (Admitted to practice: 2003) In case number SC18-1646, Anderson failed to maintain her seven law office trust accounts in compliance with the Rules Regulating The Florida Bar, resulting in shortages in excess of \$120,000. Anderson's inadequate record-keeping practices and poor supervision of her staff created a situation where trust funds were deposited to wrong accounts and Anderson misused client trust funds. In case number SC19-1340, Anderson handled an initial consultation with one client of the law firm in which she was an independent contractor. Several months later, the client emailed Anderson for an update in her matter, believing that Anderson was her attorney. Anderson advised that the law firm had closed but promised to complete her matter. Anderson failed to tell the client of her emergency suspension, which precluded Anderson from providing the client with any further legal services. (Case Nos. SC18-1646 and SC19-1340)

Jonathan Stephen Schwartz, 200 S.E. 1st St., Suite 505, **Miami**, **suspended for three years** effective 30 days following a February 17 court order. (Admitted to practice: 1986) Schwartz showed two altered photocopied versions of black and white police photo lineups to the victim at a deposition. Schwartz changed the picture of his identified client to another individual in

one of the lineups and changed the hairstyles in the other. However, Schwartz retained the victim's markings around the altered photos, such as her circle around the person she identified and her signature and the date beneath the circled photo. Schwartz did not tell the victim or the prosecutor he had changed the lineups before using them in the deposition. The court stated the altered lineups were inherently deceptive. (Case No. SC17-1391)

John Douglas Anderson, 4851 W Gandy Blvd., B6 L25, Tampa, **suspended for three years** effective 30 days following a Jan. 12 court order. (Admitted to practice: 2003) Anderson, in one matter, failed to competently handle a bond hearing and made a misrepresentation to the court regarding his trial experience. The court passed the matter after the client requested new counsel and Anderson left the courthouse prior to discharge. In a second matter Anderson failed to provide the client a written free agreement that memorialized the intent of the parties, failed to deposit and hold client funds in trust, and failed to competently handle the post-conviction appeals to which he was retained. In a third matter, Anderson failed to competently and diligently handle an adoption to which he was retained to represent the petitioner. The court found Anderson in indirect civil contempt of court for failure to file the necessary documents. (Case No: SC20-1642)

S.A. Siddiqui, 3840 Belfort Rd., Suite 302, **Jacksonville**, **suspended for three years** effective immediately following a December 20 court order. (Admitted to practice: 2005) Siddiqui engaged in a pattern of misconduct involving four separate client matters. Siddiqui failed to provide his clients with competent representation and adequate communication, and he improperly disclosed confidential information. Siddiqui also threatened to sue two clients for filing grievances with The Florida Bar. In addition, Siddiqui failed to respond timely to the Bar's inquiries. (Case No: SC21-514)

Mario A. Lamar, 3971 S.W. 8th St., Suite 305, **Coral Gables**, **suspended for three years** effective 30 days following a December 6 court order. (Admitted to practice: 1973) Lamar handled the civil representation between Client A and Client B, who were business partners and both indicted on federal charges. Client A agreed to testify against Client B in the criminal matter. Despite the fact that Client A had testified against Client B in the criminal matter, Lamar agreed to represent both parties. Lamar was engaged to separate their business interests, where the split ended up favoring Client A over Client B. Lamar disbursed all of the assets from one investment to Client A despite knowing Client B had claimed an interest. The referee found that Lamar had an unwaivable conflict in representing the two men, that he had engaged in acts that were deceitful, fraudulent, or dishonest, and that he had distributed money improperly from his trust account. (Case No: SC18-1600)

Brian Alfred Mangines, 1515 N. Federal Hwy., Suite. 300, **Boca Raton**, **suspended for two years, nunc pro tunc**, effective August 24, 2022, per the October 13 court order. (Admitted to practice: 1997) Mangines pled guilty to one count of Patient Brokering, a third degree felony, and was sentenced to 24 months of probation, which included a condition that he could not engage in the practice of law during probation. The Florida Supreme Court suspended Mangines on August 24, 2022, after the Bar filed a Notice of Determination or Judgment of Guilt following his guilty plea. The court then suspended Mangines for two years after he entered into a consent judgment with the bar. (Case No: [SC22-1110](#))

Andrea Marie Roebuck, 834 E. 25th Ave., **New Smyrna Beach**, **suspended for two years** with proof of rehabilitation required prior to reinstatement effective 30 days following an April 14 court order. (Admitted to practice: 2011) Roebuck became involved with two separate “private member associations” that were run by nonlawyers. With the first company Roebuck and another attorney provided legal services indirectly to the customers of the company. After the company ceased operations, Roebuck joined another law firm that, in effect, was run by another “private member association” that marketed itself to individuals wanting to defend their foreclosure cases without directly hiring an attorney. Because the nonlawyer owners of the two companies controlled the work done by the attorneys, customers failed to receive competent and useful legal services despite paying excessive fees to the nonlawyer associations and companies. Roebuck was both an employee and then the attorney in charge of the law firm. (Case No: [SC21-1558](#))

Catherine Elizabeth Czyz, 931 Village Blvd., Suite 905-242, West Palm Beach, **suspended for two years and ordered to pay restitution** to the client in the amount of \$41,798.45 effective 30 days following a Jan. 6 court order. (Admitted to practice: 1997) Czyz filed a discrimination suit on behalf of a client after the principal of the school where the client was employed as a teacher declined to recommend her for the principal pool. The suit was filed against the principal and school board alleging that the client was discriminated against on the basis of her looks, her wealth and her national origin. The case was immediately removed to federal court by the opposing counsel, where Czyz was not licensed to practice and never attempted to gain admission. Czyz continued to file pleadings in federal court, including a frivolous motion for sanctions against the opposing counsel for removing the case to federal court. At the time the civil complaint was filed, the client had paid Czyz over \$40,000 in fees and costs. Czyz excessively billed the client and failed to maintain a trust account during the representation. (Case No: SC19-1545)

Jiulio Margalli, 1306 Virginia St., Key West, **suspended for two years** effective nunc pro tunc to a Dec. 20, 2018 court order. (Admitted to practice: 1993) Margalli engaged in misconduct in his own divorce and neglected several clients. (Case No: SC21-1686)

Kelsay Dayon Patterson, P.O. Box 273826, **Tampa, suspended for two years** and must complete ethics school and professionalism workshop effective immediately following a December 9 court order. (Admitted to practice: 1997) Patterson was counsel for a plaintiff in a civil rights case in the United States District Court Middle District of Florida Orlando Division. During his representation, Patterson acted vexatiously throughout the litigation, multiplying and delaying the proceedings, and consistently alleging unfounded racial and other biased partiality on the part of opposing counsel and the judiciary. Further, Patterson misused an inadvertently disclosed fax and interrogatories in the litigation. (Case No: SC19-2070)

Bradley Stuart Sherman, 3 Sentry Court, **Palm Coast, held in contempt and suspended for 18 months** to run consecutive to his existing one-year suspension, effective immediately following a November 23 court order. (Admitted to practice: 1997) After being suspended for one year by order of the Supreme Court of Florida dated July 22, 2021, Sherman failed to comply with Rule 3-5.1 that required him to file Notice of Employment and/or Quarterly Reports in a timely manner. In addition, Sherman had impermissible direct contact with clients of the law firms and/or legal organizations for which he worked as a nonlawyer during his suspension. The Supreme Court of Florida found Sherman to be in contempt of its July 22 order in Case No. SC20-1550. (Case No: **SC22-1114**)

Eric Satin, 16083 Villa Vizcaya Pl., **Delray Beach, suspended for 18 months** effective 30 days following a February 3 court order. (Admitted to practice: 2009) Satin engaged in significant misconduct in his own divorce, including: disrupting judicial hearings; use of profanity in zoom hearings and in pleadings; introduction of irrelevant and scandalous information about opposing counsel in the proceedings; refusal to comply with court orders; and direct communication with his former spouse and judge in the case, despite warnings to refrain from doing so. (Case No: SC22-111)

Colleen Marie Dunne, 1314 Hickory Moss Pl., **Trinity, suspended for 15 months**, effective, nunc pro tunc, January 5, 2022. (Admitted to practice: 2000) Dunne was the subject of two disciplinary matters. In the first one, she misrepresented to the judge the degree of her relationship with a client in a hearing to disqualify her as counsel. However, the court denied the motion to disqualify on other grounds entirely unrelated to same. As the misrepresentation was not relevant to a material issue, there was no prejudice

or harm to the legal system. In the second matter, Dunne texted with a friend and jokingly indicated she wanted to find a basis to object to the marriage of a defendant with a potential witness in a criminal case where respondent was the prosecutor. County jail records indicate that Dunne informed the county jail that “the courts” objected to the defendant’s marriage. However, she claimed that she told the jail that it was the State Attorney’s Office that objected, but that they recorded it incorrectly. Case No: **SC22-1452**)

Scott Leonard Newman, 16 Sutton Ter., **Jericho, NY**, **suspended for one year** effective 30 days following a September 1 court order. (Admitted to practice: 1998) This is a reciprocal discipline action, based on a New York Opinion and Order dated March 3, 2021, which imposed a one-year suspension. Newman submitted an affidavit in the New York matter in which he conditionally admitted that he (1) misappropriated funds entrusted to him as a fiduciary incident to his practice of law; (2) commingled personal funds with funds entrusted to him as a fiduciary, incident to his practice of law; (3) failed to make or maintain required bookkeeping records for his escrow account; and (4) engaged in conduct that adversely reflects on his fitness as a lawyer. Newman failed to participate in The Florida Bar’s disciplinary proceeding. Newman had no prior discipline, and he made restitution prior to the bar’s involvement. Rules violated: 1.15(a) and (d), and 8.4(h) of the Rules of Professional Conduct (22 NYCRR 1200.0). By operation of Rule 3-4.6, Rules Regulating The Florida Bar, the Opinion and Order of the Supreme Court of The State of New York Appellate Division, Second Judicial Department was conclusive proof of such misconduct in this disciplinary proceeding. (Case No: **SC22-148**)

Christopher A. Lim, P.O. Box 568163, **Orlando**, **suspended for one year** effective 30 days following a May 19 court order. (Admitted to practice: 2005) Lim became involved with two separate “private member associations” that were run by nonlawyers. The first company marketed itself to individuals wanting to fight foreclosure cases without directly hiring an attorney. Lim and another attorney provided legal services to the customers of the company. After the company ceased operations, Lim joined another law firm that, in effect, was run by another “private member association” that marketed itself to individuals wanting to defend their foreclosure cases without directly hiring an attorney. The law firm also was used by another nonlawyer’s company that directly solicited individuals who wanted to cancel their timeshare contracts. The nonlawyer company owners controlled the operations of the law firms and had considerable input into what actions the attorneys took. The manner in which the law firm was run caused considerable confusion as to which attorney was representing a particular client. All fees were paid by the customers directly to the companies which then paid the attorneys a salary. Lim also was sanctioned by the Fifth District Court of

Appeal for failing to respond to two Orders to Show Cause for pursuing a meritless appeal. (Case No: [SC21-1666](#))

Wendell Terry Locke, 8201 Peters Rd., Suite 1000, **Plantation**, **suspended for one year** effective 30 days following a March 1 court order. (Admitted to practice: 1997) Locke was counsel for a plaintiff in a civil rights case in the United States District Court Middle District of Florida Orlando Division. During his representation, Locke acted vexatiously throughout the litigation, multiplying, and delaying the proceedings, and consistently alleging unfounded racial and other biased partiality on the part of opposing counsel and the judiciary. (Case No: SC19-1913)

Robert Charles Grady, 6243 Autumn Berry Cir., **Jacksonville**, **suspended for one year** effective immediately following a November 19 court order. (Admitted to practice: 1981) Grady was held in contempt of the court's order dated March 17, 2021, for failing to comply with Rule 3-5.1(h) requirements of notifying clients, opposing counsel, and tribunals of his suspension. (Case No: SC21-1274)

David Garrett Blake, 1711 W. Kennedy Blvd., Tampa, **suspended for one year** effective 30 days following a Jan. 6 court order. (Admitted to practice: 2004) In one matter, Blake failed to diligently represent a client in his personal injury matter and failed to reasonably communicate with the client. Blake was not truthful to the client regarding the progression of the client's case, nor was he truthful to the Bar in his sworn statement and he divulged confidential information that was not reasonably necessary to respond to the client's allegations nor to establish a defense on Blake's behalf. In a second matter, Blake was suspended from the practice of law for 179 days by the State Bar of Michigan for failing to provide competent representation to his clients; failing to seek the lawful objectives of his clients; failing to act with reasonable diligence and promptness in representing clients; failing to reasonably communicate with clients; bringing or defending an action that was frivolous; failing to make reasonable efforts to expedite litigation in the interest of his clients; and engaging in conduct that was contrary to justice, ethics, honesty, or good morals. (Case No: SC21-903)

Andrew John Manie, P.O. Box 720236, **Orlando**, **suspended for six months and four years of probation** effective 30 days following a June 9 court order. (Admitted to practice: 2015) In September 2019, Manie responded to an advertisement posted on an escort website and committed a sexual act with a woman in exchange for money. At that time, Manie, who was 30 years old at the time, believed he was meeting with an escort that was over the age of 18. The individual was in fact 17 years and 9 months of age. Pursuant to a grant of

immunity, Manie was not criminally prosecuted for the offense. (Case No: [SC22-706](#))

Jorge Henrique Angulo, 5223 Park Blvd. N., Suite 101, **Pinellas Park**, **suspended for six months** effective 30 days following a March 17 court order. (Admitted to practice: 1999) Angulo instructed his client in a criminal matter to lie to the court during the client's sentencing hearing about Angulo's guarantee to the client that he would receive a downward departure in sentencing. (Case No: SC21-1323)

A J Blake, 136 Lakeridge Dr., **Panama City**, **suspended for 91 days** and must complete CLE Requirement before applying for reinstatement, effective 30 days following an October 27 court order. (Admitted to practice: 1995) Despite numerous letters from The Florida Bar notifying her that she was ineligible to practice law, Blake continued as attorney of record in two court cases while she was ineligible to practice law. Blake failed to respond to The Florida Bar or to participate in any of the disciplinary proceedings at the staff, grievance committee or referee levels. (Case No: [SC22-123](#))

Odiator Arugu, 1510 E. Colonial Dr., Suite 303, **Orlando**, **suspended for 91 days**, effective 30 days following a November 10 court order. (Admitted to practice: 1995) Arugu prepared and filed a Notice of Production from Non-Party along with a proposed subpoena duces tecum which listed seven sets of records. After the 10-day period to serve an objection to the proposed subpoena expired, Arugu served a modified version of the subpoena, seeking the production of three additional sets of records. Arugu served the modified subpoena despite being aware of the opposing counsel's objection to the modified subpoena. He knowingly disregarded the objection and served the subpoena with no mention of the objection to the third party. (Case No: [SC21-933](#))

Derek Michael Aronoff, 4538 S.W. Darlington St., **Port St. Lucie**, **suspended for 91 days** effective 30 days following a September 8 court order. (Admitted to practice: 2001) Aronoff failed to provide a client with diligent and competent representation in a post-dissolution of marriage case where the client was seeking payment of past due child support, and the former husband was seeking to reduce his child support obligation. Aronoff's mishandling of the case resulted in the client losing all of her alimony and a reduction in the child support monthly payments owed by the former husband. (Case No: [SC22-228](#))

Mary Michele Hudson, 4440 PGA Boulevard, Suite 600, **Palm Beach Gardens**, **suspended for 91 days** as of July 8 court order. (Admitted to practice: 2011) Hudson was held in contempt of the court's order dated February 2, 2022, for failing to comply with Rule 3-5.1(h) requirements of

notifying clients, opposing counsel and tribunals of her suspension. (Case No: [SC22-684](#))

Alan Howard Ramer, 10602 S.W. 77th Terr., **Miami, suspended for 91 days** effective 30 days following a May 20 court order. (Admitted to practice: 1988) This is a reciprocal discipline action stemming from a six-month suspension order by the U.S. District Court for the Southern District of Florida that was to be rescinded if Ramer complied with remedial requirements. To date, he has not complied. Ramer repeatedly failed to timely comply with discovery requests and/or produce complete responses, failed to attend court-ordered mediation, failed to respond to opposing counsel's emails, failed to comply with court orders, and failed to comply with the local rules for the Southern District Court of Florida. ([SC20-1027](#))

Raymond B. Mitchell, 3717 Del Prado Blvd. S., Suite 1, **Cape Coral, suspended for 91 days** effective 30 days following a March 28 court order. (Admitted to practice: 1994) Mitchell was found to have engaged in conduct that was prejudicial to the administration of justice and of making disparaging statements which impugned the qualifications and integrity of a judge. (Case No: [SC20-1777](#))

Gregory Saldamando, 4000 Ponce De Leon, Blvd, Suite 470, **Coral Gables, suspended for 91 days** effective 30 days following a March 31 court order. (Admitted to practice: 2007) For five years, Saldamando represented clients in a claim against their insurance carrier after an adjuster had them sign a retainer agreement with the Strem Law Firm (SLF). Saldamando did not adequately involve the clients in the settlement process and did not apprise them of the total settlement amount or the amount that Saldamando intended to take as the firm's fee, which was substantially higher than the amount the clients would obtain. Saldamando also refused to provide the clients with any invoice or substantiation of the fees claimed by the firm. Despite Saldamando withdrawing as counsel before settling the case, SLF still took \$30,000 from the final settlement obtained by new counsel for their fees and costs. (Case No: [SC20-844](#))

James F. Feuerstein III, 22724 Stallion Dr., **Sorrento, suspended for 91 days** effective 30 days following an April 21 court order. (Admitted to practice: 1987) Feuerstein neglected a client's legal matter and failed to provide the client with adequate communication. Feuerstein then remained counsel of record on his client's case contrary to the wishes of the client. Feuerstein also failed to file an Answer to the Bar's complaint and failed to appear for the disciplinary hearing. (Case No: [SC21-1211](#))

Tracy N. Davis, 3601 S.W. Foremost Dr., **Port St. Lucie**, **suspended for 91 days** effective 30 days following a February 3 court order. (Admitted to practice: 1998) In a family law matter, Davis had the client sign a blank page with the exception of the signature block in which he affirmed under the oath the truthfulness of the claims in the petition. Davis then later drafted the petition, improperly notarized the client's signature, and filed the document with the court. Davis also failed to notify the client of a hearing set in the matter, and she also failed to attend the hearing on the client's behalf as a result of the email with the notice going to her spam folder. In a second matter, Davis notarized a document signed by the pro se opposing party who was not in her presence violating the notary law. (Case No: SC22-105)

Kenneth Edward Walton II, 701 Brickell Ave., Miami, **suspended for 91 days** effective 30 days following a Dec. 20 court order. (Admitted to practice: 1999) Walton had five discipline files related to neglect, duty to decline representation, delaying or burdening a third party, failure to return unearned fees, and failure to maintain technical trust accounting records. (Case No: SC21-243)

Erica Joanne Leiser, P.O. Box 372184, **Satellite Beach**, **suspended for 91 days** effective 30 days following a December 20 court order. (Admitted to practice: 1987) In 2017, Leiser was adjudicated guilty of DUI, a second-degree misdemeanor. She failed to notify The Florida Bar of this determination or judgment within 10 days of the entry of the judgment or determination of guilt to DUI. In a second case in 2021, Leiser pled no contest and was adjudicated guilty of Refusal to Give Breath Test after Previous Suspension, a first-degree misdemeanor, and Reckless Driving with Property Damage with alcohol as a factor, a first-degree misdemeanor. The court sentenced Leiser to probation for 24 months that may not be terminated until she has completed 18 months of probation. (Case No: SC21-1227)

Nah-Deh E. W. Simmons, P.O. Box 41083, **Jacksonville**, **suspended for 90 days**, attendance at ethics school, DDCS, FLA, Inc., evaluation and payment of disciplinary costs effective 30 days following an October 20 court order. (Admitted to practice: 2007) Simmons engaged in multiple cases of neglect, inadequate communication, failure to respond to orders to show cause issued by appellate courts, failure to appear for hearings, and lack of candor to the court in two separate cases. Simmons had significant mitigation. (Case No: [SC21-21](#) and [SC21-1762](#))

Vegina Trimetrice Hawkins, 4824 S.W. 24th St., **West Park**, **suspended for 90 days** with automatic reinstatement pending a Florida Lawyers Assistance, Inc., evaluation, effective immediately following an October 6 court order. (Admitted to practice: 2004) While a circuit judge in 2019, Hawkins placed her hands near or on a court employee's neck and made back and forth shaking

motions for less than two seconds. The Judicial Qualifications Commission filed charges and suspended Hawkins during the investigation. Ultimately, Hawkins resigned from the bench. (Case No: [SC22-590](#))

Jeffrey Edward Appel, P.O. Box 6097, **Lakeland**, **suspended for 90 days** effective 30 days from September 14 order. (Admitted to practice: 1993) Appel failed to comply with the conditions of his report of minor misconduct as directed by the grievance committee. This included his failure to comply to abstain from the consumption of alcohol and failure to adhere to the required testing procedures in accordance with his contract with FLA, Inc. (Case No. [SC22-833](#))

Michael Alan Steinberg, 4925 Independence Pkwy, Suite 195, **Tampa**, **suspended for 90 days**, ordered to attend Ethics School and to pay Bar's disciplinary costs effective 30 days following an August 26 court order. (Admitted to practice: 1982) The Florida Bar filed a reciprocal discipline matter based on a United States Court of Appeals for Veterans Claims (USCAVC) Order dated October 21, 2020, which imposed a 90-day suspension on Steinberg from USCAVC, and required completion of six hours of ethics-focused continuing legal education prior to seeking reinstatement to USCAVC. Steinberg's suspension from USCAVC was based on his repeated failures to respond to court orders in two pending matters and failure to comply with the court's Rules of Practice and Procedure. He did not timely report his suspension from USCAVC to The Florida Bar. (Case No: [SC21-976](#))

Marc S. Reiner, 12316 Equine Lane, **West Palm Beach**, **suspended for 90 days**, ordered to attend The Florida Bar's Ethics School and complete certain continuing legal education courses effective 30 days following an August 25 court order. (Admitted to practice: 2008) Reiner failed to comply with his continuing legal education requirements and became delinquent. Reiner continued to engage in the practice of law and made a false statement on his Petition for Removal of Continuing Legal Education Requirement Delinquency. He also failed to timely respond to the bar's investigative inquiries in that matter, as well as regarding two filed grievances. (Case No: [SC21-241](#))

Beresford A. Landers, Jr., 3939 NW 19th St., **Lauderdale Lakes**, **suspended for 90 days** effective 30 days following a June 2 court order. (Admitted to practice: 2004) Landers engaged in a conflict of interest and was disqualified as counsel by the trial court for assisting the wife in filing a pro se petition for dissolution of marriage and then later appearing as counsel for the husband in the dissolution of marriage and injunction cases filed. During the final hearing, Landers used information against the wife that he had gained previously while assisting her. Landers admitted to printing the necessary dissolution of marriage forms for the wife, filling out the forms for her after she failed to write

dark enough on the forms and assisting her in obtaining the notarization of certain documents. Landers also conceded that he drove her to the courthouse to file the documents and then filed the documents for her. Landers was not paid for his assistance to the wife and ultimately refunded his legal fee to the husband. (Case No: [SC22-689](#))

Nirav Mahendra Jamindar, 17555 Nature Walk Trail, Unit 305, **Parker, CO**, **suspended for 90 days** effective 30 days following a May 5 court order. (Admitted to practice: 2008) In one matter, Jamindar failed to timely and properly withdraw from an appellate matter, causing delay in the appeal. In a separate instance, Jamindar represented he was “Of Counsel” for a law firm for a period of time in which he was no longer working for the law firm. Jamindar inadvertently filed notices of appearance reflecting his “Of Counsel” designation. In second, third, and fourth matters, Jamindar failed to properly supervise his wife, who solicited legal business for Jamindar without his knowledge. (Case No: [SC21-507](#))

Arthur Benjamin Calvin, 14629 S.W. 104th St., Suite 245, **Miami**, **suspended for 90 days** and ethics school effective 30 days following a February 28 court order. (Admitted to practice: 1979) Calvin represented a minor who had sustained grievous injuries in an automobile accident. Calvin entered into a settlement agreement prior to a guardianship being opened. Thereafter he did not timely comply with a court order and was found in contempt. He also improperly lent money to the minor’s mother due to their financial circumstances. (Case No: SC20-1696)

Antonio Giovonnie Martin, P.O. Box 220, **Davenport**, **suspended for 90 days** effective 30 days following a December 20 court order. (Admitted to practice: 2010) Martin engaged in a conflict of interest when he concurrently represented the grantor, the beneficiary, and himself as trustee and counsel for the grantor and the beneficiary in the creation of a land trust, as well as representing the grantor in the foreclosure defense for the subject property. Martin did not obtain a signed, written waiver from the parties nor recommend that they consult with independent counsel. Martin withdrew from representing the parties. (Case No: SC21-915)

John Kevin Carey, 3186 Bayshore Oaks Dr., **Tampa**, **suspended for 90 days** and required ethics school, Professionalism Workshop, and FLA evaluation effective 30 days following a December 16 court order. (Admitted to practice: 1983) Carey engaged in a sexual relationship with a client while representing the client in multiple lawsuits, including the client’s dissolution of marriage. The sexual relationship became a contentious issue during the litigation, which negatively affected the proceedings, including depositions, hearings, and court

filings. Carey was also unprofessional in his communications with opposing counsel and the opposing party. (Case No: SC21-1673)

David Luther Woodward, 1415 Lemhurst Rd., P.O. Box 4475, **Pensacola, suspended for 75 days and two year's probation** and attend Professionalism Workshop effective 30 days following an April 14 court order. (Admitted to practice: 1969) Woodward was retained by eight siblings to pursue a partition case in a probate matter. After making an appearance and attending one hearing, Woodward failed to diligently pursue the case, to communicate with his clients, to expedite the litigation, to respond to two Orders to Show Cause issued by the circuit court, and to respond to The Florida Bar. (Case No: [SC20-1842](#))

Juan Manuel Saldivar, Jr., P.O. Box 17500, **Clearwater, suspended for 60 days** effective 30 days following a June 2 court order. (Admitted to practice: 2013) Saldivar, as attorney for the state of Florida in a criminal proceeding, filed a verified motion to disqualify the trial containing misrepresentations and inappropriately calling into question the integrity of the trial judge. Further, Saldivar engaged in improper discovery practices. (Case No: **SC22-691**)

Laurence Arnold Steel, P.O. Box 47493, **St Petersburg, suspended for 60** court order. (Admitted to practice: 1985) Steel failed to act with diligence regarding a family law matter to which he was retained. Steel failed to timely file his Notice of Appearance, failed to review the client file, and failed to timely respond to motions and requests from the opposing party. Steel failed to keep the client reasonably apprised of the status of the matter. Steel was suffering from personal or emotional problems during the relevant period and refunded all fees and costs to the client. (Case No: SC21-1261)

Hillel Ryder Smith, 6712 Kenwood Forest Lane, **Chevy Chase, Maryland, suspended for 60 days** effective immediately following a February 28 court order. (Admitted to practice: 2000) Smith sent harassing email messages to two immigration judges and an attorney with the U.S. Department of Homeland Security in Miami. During the investigation conducted by the Office of Inspector General, Smith initially denied sending the email messages, claiming his computer may have been hacked. When confronted with forensic evidence, Smith admitted to sending the emails and claimed that the recipients were former co-workers who had harassed and discriminated against him in the past. Smith initially avoided the Bar's inquiries into this matter. (Case No: SC21-511)

Gian C. Ratnapala, 1987 N.E. 15th Ave., **Ft. Lauderdale, 45-day suspension and two years of probation** with attendance at the Trust Accounting Workshop and submission of quarterly CPA reports effective 30 days following

an April 7 court order. (Admitted to practice: 2012) Ratnapala, who was representing a condominium association, deposited funds from a condominium owner into his trust account. The funds were owed to the association as the owner's delinquent maintenance fees. Ratnapala failed to timely notify the association that he had collected the funds and failed to timely distribute the funds to his client. The Bar's subsequent audit revealed technical trust account violations but there was no evidence of intentional misappropriation by Ratnapala. (Case No: [SC22-392](#))

Richard Lee Brewster, 1089 West Morse Blvd., Suite B, **Winter Park**, **suspended for 45 days** effective March 14, (Admitted to practice: 2013) Brewster, at the direction of his client, the buyer in a commercial real estate deal, responded to an inquiry by the seller's attorney via email that requested confirmation of the escrow deposit and the identity of the escrow agent, who pursuant to the contract was to be selected by the buyer. Brewster responded by email that he had the deposit check (which, according to the contract, would become nonrefundable at a later date) and he named the escrow agent. Brewster did not possess the deposit check when he sent the email. Immediately thereafter, his client told Brewster that he might wire the deposit instead and that he was going to consider using two other law firms as escrow agents. Brewster never corrected or updated the information he had earlier sent in the email to the seller. The buyer never made a deposit to any escrow agent, and this was not discovered by the seller until after the deposit would have become nonrefundable. The deal to buy the property did not close. (Case No: SC21-1290)

Peter Duff Spindel, P.O. Box 835063, **Miami**, **suspended for 30 days**, effective 30 days following a November 3 court order. (Admitted to practice: 1989) Spindel neglected two bankruptcy matters, provided little-to-no services despite receiving a retainer fee, and failed to adequately communicate with clients. Following the Bar's investigation, respondent paid full restitution to both clients. (Case No: [SC22-1423](#))

Nashid Sabir, 18441 N.W. 2nd Ave., Suite 217, **Miami**, **suspended for 30 days**, effective 30 days following a November 3 court order. (Admitted to practice: 1983) Sabir neglected two immigration matters, failed to adequately communicate with clients, made misrepresentations to clients as to the status of their case, and failed to diligently respond to requests for additional evidence, resulting in both applications being denied. Sabir paid restitution to one of the two clients. (Case No: [SC22-1421](#))

Robert J. Telfer, Jr., 815 South Washington Avenue, Suite 201, **Titusville**, **suspended for 30 days** and ethics school effective 30 days from a September 1 court order. (Admitted to practice: 1971) Telfer contacted attorney Michael Saracco during the time period that Saracco was suspended from the practice

of law and offered to assist Saracco with any pending client matters. Saracco accepted Telfer's assistance. Telfer then entered his limited notice of appearance in several of Saracco's pending cases. Telfer failed to communicate with the clients and failed to obtain the clients' consent to enter the Notices of Limited Appearance on their behalf. Telfer allowed a paralegal to file pleadings with the trial courts that were drafted by Saracco, utilizing Telfer's Florida Bar number. Telfer reviewed the pleadings prior to them being filed with the trial courts. Telfer advised the trial courts when appearing before them that Telfer entered notices of limited appearance in the cases due to Saracco's suspension from the practice of law. (Court Case No: [SC22-989](#))

Julio J. Martinez, 6450 Collins Ave, Apt 1108, **Miami Beach**, **suspended for 30 days** effective 30 days following an August 17 court order. (Admitted to practice: 2010) Martinez failed to comply with all terms and conditions set forth in the consent judgment by failing to abstain from the consumption of alcohol. (Case No: [SC22-832](#))

Mary Michele Hudson, 4440 PGA Blvd., Suite 600, **Palm Beach Gardens**, **suspended effective 30 days** following a February 2 court order. (Admitted to practice: 2011) Hudson failed to respond to The Florida Bar File No. 2019-50,659(17I). The Bar filed its Petition for Contempt and Order to Show Cause on December 21, 2021, and the Florida Supreme Court ordered Hudson to show cause by January 5, 2022. Hudson failed to file a response to the court's Order to Show Cause. (Case No: SC21-1734)

Lora S. Scott, 37 N. Orange Ave., Suite 500, Orlando, **suspended for 30 days** effective 30 days following a Jan. 13 court order. (Admitted to practice: 2006) During the representation of a client in a family law matter, Scott failed to respond to court orders related to her client's overdue discovery responses. Scott also failed to timely advise her client of the court's orders. As a result, the court awarded attorney's fees and costs to opposing counsel for which Scott and her client were held jointly liable. (Case No: SC21-190)

Mark D. Siegel, 3205 Southgate Cir., Suite 4, Sarasota, **suspended effective 30 days** following a Jan. 20 court order. (Admitted to practice: 1983) Siegel failed to respond to several official Bar inquiries concerning a complaint filed by a former client. After his failure to respond, the Bar filed a Petition for Contempt and Order to Show Cause and the Court issued an Order to Show Cause on Nov. 5, 2021. (Case No: SC21-1533)

Marc Jeremy Soss, P.O. Box 110127, **Lakewood Ranch**, **suspended for 30 days** and attend ethics school effective 30 days following a December 2 court order. (Admitted to practice: 1992) Soss represented a client in a guardianship matter pertaining to the client's husband and as the surviving spouse of the

decedent in the probate of the husband's estate. He also represented the same client in seeking reimbursement from the client's deceased husband's trust for funds she expended for his care. During the representation, the client appointed Soss as successor trustee. Soss served the notice of the appointment as successor trustee on the interested parties and beneficiaries, but not on the court for approval or confirmation. Soss simultaneously served as counsel for the client and trustee of the husband's Revocable Trust. During the Bar's investigation of the conflict of interest, Soss provided a PDF copy of a conflict waiver that he had altered at or around the time the document was requested. While acting as trustee, Soss disbursed funds that he was not legally entitled to use as he was not legally the successor trustee. After the court ordered him to do so, Soss returned the funds he had disbursed. (Case No: SC21-694)

Richard Mark Nummi, 701 77th Ave. N., Unit 56194, **St. Petersburg**, **suspended for 30 days** effective 30 days following a November 24 court order. (Admitted to practice: 1998) Nummi held excessive fees belonging to him in his trust account and commingled earned fees in the trust account. The Bar's audit also determined that the shortage in a client's ledger was covered by Nummi's firm funds in the account and no other client's funds were used. Nummi's trust account records were not in compliance with the rules. Nummi failed to timely respond to the Bar's requests for information in the case and failed to reasonably communicate with a client. (Case No: SC21-23)

Melanie L. Johnson, 4790 Longbow Dr., **Titusville**, **suspended effective 30 days** following a December 9 court order. (Admitted to practice: 2004) Johnson engaged in misconduct, including, but not limited to, misappropriating client funds and commingling attorney and client funds. (Case No: SC21-1675)

David John Pettinato, 1000 W. Cass St, **Tampa**, **suspended for 10 days** and ordered to pay the Bar's disciplinary costs, effective 30 days following a November 17 court order. (Admitted to practice: 1995) In one matter, the court found Pettinato's disclosures regarding a chosen appraiser insufficient. As a result, the court dismissed the matter with prejudice, and awarded attorney fees and expenses against Pettinato and his co-counsel individually. In the other matter, Pettinato failed to timely notify the court or opposing counsel upon learning of a notarization defect in his client's sworn Proof of Loss. Pettinato and The Florida Bar entered into a consent judgment as to Pettinato's two pending disciplinary matters. (Case No: **SC22-1515**)

Kevin Poston Cox, 2000 E. Edgewood Dr., Suite 106A, **Lakeland**, **suspended for 10 days**, attendance at Ethics School, and payment of disciplinary costs effective 30 days following an April 7 court order. (Admitted to practice: 1988) Cox was hired to represent the client for a violation of probation allegation. At a

meeting in Cox's office with his client's advocate/witness, Cox said disparaging comments about his own client. (Case No: [SC21-934](#))

Aaron David Delgado, 227 Seabreeze Blvd., **Daytona Beach**, **public reprimand by publication and two years of conditional probation** effective immediately following an April 7 court order. (Admitted to practice: 2004) During a federal investigation, law enforcement intercepted a telephone call between Delgado and his client that could have been interpreted as being for the purchase of contraband. Delgado denied that the conversations were for the purpose of purchasing contraband and was not charged with committing any crime. Delgado admitted that the communications had the appearance of impropriety and not becoming of a lawyer. (Case No: [SC22-401](#))

Joanne Marie Prescott, P.O. Box 3000, **Orlando**, **public reprimand and three years of probation** effective immediately following a September 15 court order. (Admitted to practice: 1996) In 2019, Prescott was cited for DUI in Georgia. She pled guilty to the reduced misdemeanor charge of failure to exercise due care. In 2021, Prescott was arrested for DUI – Unlawful Blood Alcohol – DUI Damage to Property or Person of Another in Orange County, Florida. Prescott pled nolo contendere to the first-degree misdemeanor charge of DUI with property damage and was sentenced to probation. Prescott timely self-reported the Florida plea and admitted that she had failed to timely report the 2019 Georgia plea. Prescott subsequently violated her probation in the Florida DUI case. (Court Case No: [SC22-811](#))

Wendy Arlene Hausmann, 20283 State Road 7, Suite 400, **Boca Raton**, **public reprimand by publication and one year of probation** effective immediately following a June 2 court order. (Admitted to practice: 2000) Hausmann engaged in a conflict of interest regarding her representation of a business organization/client. Hausmann loaned funds to the client without requiring interest and failed to ensure that a promissory note was executed nor advised the client to seek independent counsel. Later, the client began an investigation of its former board member for misappropriation. Civil litigation then occurred, and Hausmann represented the former board member in some of those proceedings. In several instances, when the former board member appeared pro se, Hausmann assisted him with the pleadings and failed to ensure that the pleadings noted that they were prepared with the assistance of counsel. The trial court judge ultimately disqualified Hausmann due to the conflict. Hausmann appealed the trial court's order disqualifying her as counsel and the non-final order was affirmed by the Fourth District Court of Appeal. (Case No: [SC22-687](#))

Steven Edward Amster, 4000 Ponce De Leon Blvd., Suite 470, **Coral Gables**, **held in contempt and publicly reprimanded**, effective immediately following

a November 14 court order. (Admitted to practice: 1994) Amster failed to respond timely to official Florida Bar inquiries. (Case No: [SC22-1211](#))

Lisa A. Musial, 923 Del Prado Blvd. S., Suite 207, **Cape Coral**, **public reprimand by publication**, and ordered to complete The Florida Bar's Ethics School; use of the Diversion/Discipline Consultation Service; and, pay the Bar's costs effective immediately following a November 17 court order. (Admitted to practice: 2001) Musial served as power of attorney, completed estate planning documents, and acted as co-trustee of a trust on behalf of an elderly client. Musial maintained two of the client's credit cards within her office and failed to supervise a non-lawyer employee who often served as an intermediary between Musial and the elderly client. The non-lawyer employee engaged in theft of the client's funds from October 2017 through April 2019 utilizing the client's credit card information. The non-lawyer employee was sentenced to 16 months in prison followed by 60 months of probation with restitution as a result of her actions. Musial refunded the client fees paid for administrative services and the client was ultimately made whole. Musial and The Florida Bar entered into a consent judgement regarding the allegations. (Case No: [SC22-1512](#))

Robert Laurence Pelletier, 233 E. Bay St., Suite 1020, **Jacksonville**, **public reprimand** and attendance at ethics school within six months of a September 1 court order. (Admitted to practice: 2012) Pelletier was hired to represent a client in a criminal matter. He was hired to represent the client by a co-defendant to the criminal charges pending against the client he was hired to represent. Pelletier did not obtain a waiver from the parties involved related to the potential conflict. Pelletier failed to diligently pursue his client's criminal cases and failed to adequately communicate with the client. Pelletier also failed to timely respond to the Bar's inquiries. (Case No: [SC22-397](#))

Richard Henry Albritton III, P.O. Box 519, **Panama City**, **public reprimand by publication** effective immediately following an August 25 court order. (Admitted to practice: 2008) Albritton pled to one misdemeanor for First Conviction for Driving While License Suspended, and the non-criminal Failure to Leave Information at the scene of an accident. (Case No: [SC22-121](#))

José G. Oliveira, 1284 Seburn Road, **Apopka**, **public reprimand** administered by a personal appearance before the Board of Governors of The Florida Bar and completion of an office procedures and record-keeping analysis by The Florida Bar's Diversion/Discipline Consultation Service effective immediately following an August 25 court order. (Admitted to practice: 2009) Oliveira consulted with a prospective client about a civil dispute and requested that the prospective client email him the contract related to the dispute. After receiving the contract, Oliveira advised the prospective client that he could not open the first

email that was sent but that Oliveira could not represent him in the matter due to a conflict of interest. Oliveira then later entered an appearance on behalf of the opposing party in a lawsuit regarding the same subject matter. Counsel for the plaintiff filed a Motion to Disqualify based on the alleged conflict of interest, and following a hearing on the motion, the trial court disqualified Oliveira from representing the opposing party in the civil lawsuit. (Case No: [SC22-582](#))

Tarya Arnshelic Tribble, 6328 US Highway 301 S., **Riverview**, **public reprimand by publication** effective immediately following a June 9 court order. (Admitted to practice: 1999) Tribble was engaged in foreclosure litigation concerning commercial property which she used as her law office. During the foreclosure litigation, Tribble and her counsel engaged in conduct that improperly delayed the litigation. Twice during the foreclosure litigation, Tribble filed bankruptcy which stayed the foreclosure proceedings. Both bankruptcies were subsequently dismissed. (Case No: [SC21-1606](#))

William J. Cantrell, 401 E. Jackson St., Suite 2340, **Tampa**, **public reprimand by publication** effective immediately following a June 2 court order. (Admitted to practice: 2013) Cantrell filed two lawsuits against a third party after he became aware that his girlfriend was involved in an affair with said third party. One lawsuit was filed on his own behalf and the other was filed on behalf of Cantrell's girlfriend. By representing himself and his girlfriend in issues with substantially the same facts and issues, Cantrell engaged in a potential conflict of interest. Cantrell engaged in unprofessional behavior towards the third party and his family. (Case No: [SC22-693](#))

Martha Ann Chapman, P.O. Box 536924, **Orlando**, **public reprimand by publication** and completion of Trust Accounting Workshop effective immediately following a June 16 court order. (Admitted to practice: 1994) Chapman failed to provide a client with an accounting upon demand detailing how she had spent the retainer he paid for the legal work performed, and she failed to adequately communicate with the client after the case settled. Chapman also failed to provide the client with all the settlement funds he was owed in a timely manner and, as a result, the Bar conducted an audit of Chapman's attorney trust account. The audit revealed Chapman failed to maintain her trust account in substantial minimum compliance with the Rules Regulating The Florida Bar. The trust account had a shortage that Chapman corrected. There was no evidence of intentional misappropriation of client funds. (Case No: [SC22-340](#))

Melissa A. Giasi, 400 N. Ashley Dr., Suite 1900, **Tampa**, **public reprimand by publication**, attendance at Ethics School, a written apology letter to Judge Muscarella and payment of Bar costs effective immediately following a May 26 court order. (Admitted to practice: 2007) During the representation of a client,

Giasi made two statements to the court, one in writing and one during a court hearing, that were inaccurate. Upon becoming aware that the statements were erroneous, Giasi took steps to correct any misunderstandings by sending a letter to the judge clarifying the statements, filing an amended motion, and withdrawing from the representation. (Case No: [SC21-1637](#))

Joseph Wimbert Gibson, Jr., 19 W. Flagler St., Suite 417, **Miami**, **public reprimand by publication** effective immediately following a June 16 court order. (Admitted to practice: 1982) Gibson continued representing a client after being discharged and delayed the reimbursement of the unused portion of the retainer, as the client requested. After some time, Gibson refunded the entire retainer less one hour of work, although he maintained he was terminated without cause. (Case No: [SC21-1716](#))

Dirk Robert Weed, 4510 N. Armenia Ave., **Tampa**, **public reprimand by publication** effective immediately following an April 14 court order. (Admitted to practice: 1998) Weed failed to diligently and competently represent clients in three separate matters. During the separate representations, Weed failed to appear at hearings, failed respond to multiple court orders, and failed to communicate with his clients. (Case No: [SC22-403](#))

Michael I. Rose, 1643 Brickell Ave., Apt. 3102, **Miami**, **public reprimanded by publication** effective immediately following an April 14 court order. (Admitted to practice: 1971) While representing his former wife in foreclosure proceedings, Rose got a friendly buyer to purchase the judgment and negotiated with the bank to a discounted amount. During the sale of the property, Rose advised his former wife's attorneys that the payoff amount on the purchased judgment was \$1.5 million but the mortgage was purchased for a lesser amount. The former wife sued the buyer, who was represented by Rose until he was disqualified by the court and recovered the difference. (Case No: [SC22-421](#))

Najah Nzinga Adams, P.O. Box 5446, **Gainesville**, **public reprimand by publication** and ethics school effective 30 days following a March 31 court order. (Admitted to practice: 2008) Adams, in three separate instances, failed to diligently pursue her clients' matters for which she was hired or maintain adequate communications with her clients. Adams also failed to timely respond to the Bar in these matters. Adams had significant mitigation. (Case No: [SC21-770](#))

Daniel Martinez, Jr., 3565 Jupiter Blvd. SE, Suite 2, **Palm Bay**, **public reprimand** and two years of probation effective immediately following a March 3 court order, (Admitted to practice: 2015) Martinez took a medical leave of absence and failed to handle a client's paternity case properly and

communication was poor. When Martinez returned to work, he failed to ensure that the required filings had been done and the case was also not scheduled for mediation as required by court rule. Martinez missed a case management conference and failed to notify his client about the hearing. The court dismissed the paternity case due to Martinez's neglect and lack of communication. Martinez did not notify the client of the dismissal and the client learned of the dismissal by checking the online docket. Two months later, Martinez filed a motion seeking to have the case reinstated but the court denied the motion, citing Martinez's grossly negligent handling of the matter. (Case No: SC21-1755)

Brandon Robert Scheele, 501 E Kennedy Blvd., Suite 1700, **Tampa, public reprimand** by publication and probation for two years effective immediately following a February 3 court order. (Admitted to practice: 2002) Scheele was disciplined for two matters. In the first matter, Scheele was arrested and subsequently charged with multiple criminal offenses. After treatment and successful completion of a pretrial diversion program all charges were dropped. In the second matter, Scheele engaged in unprofessional behavior during a deposition resulting in a hearing before the judge, for which Scheele failed to appear. (Case No: SC22-100)

Roger Alan Andrews, P.O. Box 38, **Crawfordville, public reprimand** by publication and ethics school effective 30 days following a February 17 court order. (Admitted to practice: 1997) Andrews represented a client in a workers' compensation matter but failed to adequately communicate despite repeated requests for status updates. He also failed to settle the case despite the client's repeated instruction for him to do so. After Andrews withdrew from the case, the client settled the case as a pro se litigant. In a second matter, Andrews represented a client in a personal injury claim. Andrews claimed he informed the client that there was no avenue of relief and ultimately gave the client money because he felt sorry for her. An audit of Andrews trust account reflected that he had not settled the client's case and the money he gave her came from his earned fees from other cases. The audit also showed that he failed to timely move his earned fees from his trust account to his operating account. (Case No: SC21-1086)

Peter Arnold Robertson, 5575 A1A South, Suite 116, **St. Augustine, public reprimand** by publication effective immediately following a December 20 court order. (Admitted to practice: 1991) Following an August 6 order suspending Robertson from the practice of law for 90 days, Robertson discovered additional persons he was required to notify and provide a copy of his suspension order as required by under Rule 3-5.1(h). Robertson failed to provide an amended sworn affidavit listing the additional people that were notified after his initial and first amended affidavits were filed with the Bar. In addition, Robertson's associates

filed several pleadings on his behalf after the effective date of his suspension. (Case No: SC21-676)

Julio J. Martinez, 6450 Collins Ave., Apt. 1108, **Miami Beach**, **public reprimand** by publication and two years probation effective 30 days following a November 18 court order. (Admitted to practice: 2010) Martinez was arrested after a traffic stop and charged with possession of cocaine, license suspended without knowledge, speeding, possession of cannabis, and possession of drug paraphernalia. Subsequently, the prosecutor dropped the possession of cannabis and possession of drug paraphernalia counts. Martinez was accepted into the pretrial intervention program and after successful completion of the program, all remaining charges were dropped. The grievance committee considered this matter and made a diversion recommendation that required Martinez to enter into a contract with FLA, Inc. Martinez failed to comply with the conditions of his FLA, Inc., contract after testing positive for cocaine several times. (Case No: SC21-1532)

Gregory John Hoag, 218 N Dale Mabry Hwy., **Tampa**, **public reprimand** by publication and completion of three-year FLA contract effective immediately following a December 16 court order. (Admitted to practice: 2003) Hoag was charged with misdemeanor domestic violence in May 2019 for which he plead no contest, adjudication withheld, and completed the conditions of his probation. (Case No: SC21-1683)

Robert B. Cook, P.O. Box 3598, **Tequesta**, **public reprimand** by publication effective immediately following a December 16 court order. (Admitted to practice: 1971) Cook did not appear at court hearings to represent clients in two separate foreclosure cases. In one matter, an associate attorney in Cook's office was handling the case and left on an emergency medical leave. A hearing was not calendared and sufficient efforts were not made by Cook to make certain all pending matters were covered. A final judgment was entered, but later set aside and Cook continued to represent the client. In the other matter, Cook filed a motion to withdraw, wrongly believing an order was entered relieving him of responsibility in the case, and did not appear when a final judgment was entered. The final judgment was set aside and Cook continued to represent the client. (Case No: SC21-1687)

Robyn Lynn Sztynodor, 123 NE 17th Ave., **Ft. Lauderdale**, **public reprimand** before The Florida Bar Board of Governors effective immediately following a November 24 court order. (Admitted to practice: 2011) Sztynodor acted unprofessionally in four separate matters. In two of the matters, Sztynodor made unprofessional and sarcastic remarks about opposing counsel and witnesses in email communications. She also made unprofessional statements orally, in emails, and in court filings impugning the integrity of a judge. At a deposition,

Sztyndor told the deponent that she would seek sanctions, contempt, and move to strike their claim after the witness requested to postpone the deposition to hire independent counsel. Lastly, Sztyndor questioned opposing counsel's veracity at a deposition and made similar allegations against opposing counsel in email communications with the judge's judicial assistant and in a motion filed with the court. Sztyndor's conduct resulted in a burden on opposing counsel's clients, and the client's fired opposing counsel. (Case No: SC21-979)

Timothy Wayne Terry, 501 N. Magnolia Ave., **Orlando, public reprimand** by publication effective immediately following a December 20 court order. (Admitted to practice: 1981) In three separate family law matters, Terry failed to diligently represent and maintain adequate communication with his clients. Terry refunded his fees and attempted to mitigate his misconduct to the best of his abilities. (Case No: SC21-1046)

Steven Konstantinos Dimopoulos, 6671 Las Vegas Blvd. S., Unit D-275, **Las Vegas, NV, admonishment for minor misconduct**. (Admitted to practice: 2011) This is a reciprocal discipline action, based on Dimopoulos' notice to The Florida Bar of a Letter of Reprimand dated November 20, 2020, by the Southern Nevada Disciplinary Board. While representing a client in a personal injury matter, Dimopoulos failed to adequately supervise his staff. Dimopoulos' nonlawyer staff members exchanged emails with the insurance company's adjuster without copying the associate attorney assigned to the matter. Therefore, it appeared that the nonlawyers were negotiating the client's settlement. (Case No: [SC22-162](#))

Timmy McClain, P.O. Box 536387, **Orlando, admonishment** by publication effective 30 days following a December 2 court order. (Admitted to practice: 2003) McClain filed a Motion to Withdraw from his representation of a defendant in a civil matter but did not set the motion for hearing. The court ordered McClain to schedule a hearing for the Motion to Withdraw or reaffirm his representation of the defendant. When McClain failed to respond, plaintiff's counsel set a hearing on the Motion to Withdraw. The court issued an Order to Show Cause directing McClain to show cause why he failed to appear for the hearing and failed to set the Motion to Withdraw for hearing. The court further informed The Florida Bar of McClain's conduct. As soon as McClain learned of the Bar grievance and the underlying facts, he took steps to communicate with the parties and court to resolve the situation. (Case No: SC21-1149)

Constance Daniels, P.O. Box 6219, **Brandon, admonishment** in writing and directed to attend Ethics School effective immediately following a November 24 court order. (Admitted to practice: 1995) Daniels failed to act with reasonable diligence and failed to communicate with her client in connection with a

dissolution of marriage action. Daniels also failed to timely respond to the Bar's formal complaint. (Case No: SC21-683)