

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2010-124

IN RE: WILLIAM SUMNER SCOTT
Florida Bar # 947822

FILED by KS D.C.

OCT 14 2010

STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. - MIAMI

ORDER OF SUSPENSION

The Supreme Court of Florida, on June 10, 2010, entered an order imposing a three (3) year suspension of the above-named attorney from practicing law in Florida. *See The Florida Bar v. Scott*, 39 So. 3d 309 (Fla. 2010). That suspension was predicated on a report of referee. Attorney Scott filed a Motion for Rehearing, which was denied by the Florida Supreme Court on July 6, 2010. This Court issued an Order to Show Cause, on July 14, 2010, as to why the imposition of identical discipline should not be imposed, giving Scott thirty (30) days to respond. On July 27, 2010, Scott filed a Response to this Court's Order to Show Cause, seeking to have this Court's Order to Show Cause withdrawn or for this Court to grant an extension of time to respond until ninety (90) days from July 6, 2010, the deadline for filing a Petition for Writ of Certiorari to the United States Supreme Court. In an order filed August 13, 2010, this Court denied Scott's requests, finding that there was a "final adjudication" by the Florida Supreme Court, which under Rule 5(e) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, conclusively establishes "the misconduct for purpose of a disciplinary proceeding in this Court." On August 23, 2010, Scott filed a Motion for Reconsideration of Order Entered August 13, 2010 and Request for Hearing. Scott argues in the motion that this Court's August 13th Order should be reconsidered and he should be granted a hearing because the order disqualifying him as counsel entered by Judge Middlebrooks of the District Court of the Southern District of Florida on October 4, 2002, 1) "was entered without affording me a hearing or a record of the facts of the

case,” and 2) in order “[t]o support disqualification on the basis of an alleged ethical violation, the court must conclude that the attorney has violated a specific rule of professional conduct.” On September 20, 2010, this Court denied Scott’s requests, finding that the October 4th Order is not relevant to this Court’s decision to impose reciprocal discipline based on the Florida Supreme Court’s June 10th Order.

Rule 5(d) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, provides in pertinent part that “[a]fter consideration of the response called for by the order [to show cause] . . . the Court may impose the identical discipline or may impose any other sanction the Court may deem appropriate.” Given this background, pursuant to Rule 5(d), and the Court’s inherent power to regulate membership in its bar for the protection of the public interest, *see Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991) (“[A] federal court has the power to control admission to its bar and to discipline attorneys who appear before it.”),

IT IS ORDERED that said attorney be suspended from practice in this Court, effective immediately. The Clerk of Court shall strike this attorney from the roll of attorneys eligible to practice in the United States District Court for the Southern District of Florida, and shall also immediately revoke the attorney’s CM/ECF password.

IT IS FURTHER ORDERED by this Court that said attorney advise the Clerk of Court of all pending cases before this Court in which he is counsel or co-counsel of record.

IT IS FURTHER ORDERED by this Court that the Clerk of Court attempt to serve by certified mail a copy of this Order of Suspension upon the attorney at his court record address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 13th day of October, 2010.


FEDERICO A. MORENO
CHIEF UNITED STATES DISTRICT JUDGE

- c: Honorable Joel F. Dubina, Chief Judge, Eleventh Circuit
- All Miami Eleventh Circuit Court of Appeals Judges
- All Southern District Judges
- All Southern District Magistrate Judges
- United States Attorney
- Circuit Executive
- Federal Public Defender
- Clerk of Court
- Clerk of Court, 11th Circuit
- National Lawyer Regulatory Data Bank
- Florida Bar
- Attorney Admissions Clerk
- Library
- William Sumner Scott