

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2010-26

IN RE: PETER MARCELLUS CAPUA
FLORIDA BAR # 611727

ORDER OF DISBARMENT

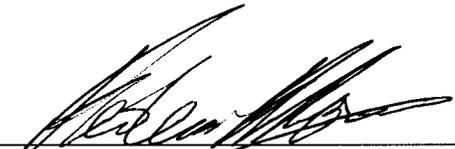
The Supreme Court of Florida has entered an Order dated November 20, 2008, approving an uncontested Referee's Report predicated upon a Disbarment on Consent entered between the attorney and the Florida Bar effective *nunc pro tunc*, January 3, 2008. Thereafter, the Clerk served an Order to Show Cause why reciprocal discipline should not be entered. Mr. Capua filed two Motions for Extension of Time to Respond to the Order to Show Cause. Many months have passed with no further response. Rule VIB of the Southern District of Florida Attorney Discipline Rules provides: "An attorney...who shall be disbarred on consent or resign from the bar of any other court...while an investigation is pending shall...cease to be permitted to practice before this Court and be stricken from the roll of attorneys admitted to practice before this Court." Under these circumstances involving disbarment on consent, service of an Order to Show Cause is unnecessary and no further response from the attorney is necessary before immediate disbarment. Pursuant to Rule VIB and the inherent authority of this Court to oversee officers admitted to membership in its bar, it is

ORDERED that the above named attorney be disbarred from practice in this Court, effective immediately. The Clerk of Court shall strike this attorney from the roll of attorneys for the United States District Court for the Southern District of Florida, and shall also immediately revoke his CM/ECF password.

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

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 5th day of April, 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
Peter Marcellus Capua