IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR

IN RE: PAUL K. SILVERMAN

CONFIDENTIAL

CASE NO.:

65,339

FILED
SID J. WHITE
MAY 23 1984

CLERK, SUPREME COURT

By
Chief Deputy Clerk

PETITION FOR LEAVE TO RESIGN WITHOUT LEAVE TO REAPPLY

Petitioner, Paul K. Silverman, pursuant to Rule 11.08, article XI, of the Integration Rule of The Florida Bar, hereby petitions this Court to accept his resignation from The Florida Bar without leave to apply for readmission permanently, and in support thereof states as follows:

- 1. Petitioner, Paul K. Silverman, is, and at all times hereinafter mentioned was, a member of The Florida Bar, subject to the jurisdiction and disciplinary rules of the Supreme Court of Florida.
- 2. On July 13, 1981, petitioner was suspended for three (3) months and one (1) day in the case <u>The Florida Bar v. Silverman</u>, No. 60,500 (Fla. June 11, 1981). In that case, petitioner pled guilty to representing two clients in a criminal case who had conflicting interests, failing to advance defenses or remedies available to one of such clients, and failing to prepare for trial in such case. Petitioner has not sought reinstatement from such suspension and, therefore, currently stands suspended from the practice of law in Florida.
- 3. There is currently pending against petitioner a disciplinary action, TFB Case Number 17F81F46, wherein it is alleged that petitioner converted approximately \$4,000.00 in trust funds belonging to the Estate of Angelo Giovanniello, of which petitioner was the personal representative, to his own use. A grievance committee found probable cause in such matter on September 20, 1983.
- 4. Upon knowledge and belief, there are no criminal proceedings currently pending against petitioner. Petitioner has no past criminal history.
- 5. Petitioner believes that the public interest will not be adversely effected by the granting of this petition and that permitting petitioner to resign without leave to reapply will not adversely effect

the purity of the Courts, nor hinder the administration of justice, nor the confidence of the public in the legal profession. In light of this Court's opinion in The Florida Bar v. Mattingly, 342 So.2d 508 (Fla. 1977), that a disbarment may not be permanent, petitioner understands that he is consenting to the most serious discipline that can be imposed upon a member of The Florida Bar.

- 6. Petitioner understands that he would generally be liable for any costs incurred by The Florida Bar in prosecuting disciplinary proceedings against him. Therefore, the petitioner is willing to have taxed against him the costs incurred by The Florida Bar to date in the disciplinary proceedings that are listed as pending in this petition.
- 7. Petitioner agrees to cooperate with any Client Security Fund investigation conducted by The Florida Bar and understands that he will remain personally liable to make restitution in the above described cases.
 - 8. Petitioner is no longer actively engaged in the practice of law.
- 9. Petitioner has retained counsel in this matter and is acting freely and voluntarily with the advice and assistance of counsel.

WHEREFORE, petitioner respectfully requests that this Court grant this Petition for Leave to Resign Without Leave to Reapply.

PAUL K. SILVERMAN

Petitioner

Respectfully submitted

STAN L. RISKIN, Esquire Attorney for Petitioner Riskin and Dishowitz, P.A. 450 North Park Road

Post Office Box 7328 Hollywood, FL 33021 (305) 962-7900

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Petition was sent to Michael D. Powell, Bar Counsel, The Florida Bar, 915 Middle River Drive, Suite 602, Fort Lauderdale, FL 33304, John T. Berry, Staff Counsel, The Florida Bar, Tallahassee, FL 32301-8226, and to John F. Harkness, Jr., Executive Director, The Florida Bar, Tallahassee, FL 32301-8226, by regular mail, on this 21st day of May, 1984, and hand delivered to DAVID BARNOVITZ, ESQ., The Florida Bar, 915 Middle River Drive, Ft. Lauderdale, Florida 33204, this 3351 day of May, 1984.

STAN L. RISKIN