

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,)
IN RE: PETITION TO)
RESIGN BY:)
G. ROBERT HARRIS)
Petitioner.)

The Florida Bar Case
No. MRS84002

Supreme Court Case
No. 65,482

FILED

SID J. WHITE

AUG 23 1984

CLERK, SUPREME COURT

By _____
Chief Deputy Clerk

RESPONSE TO PETITION FOR LEAVE TO
RESIGN PENDING DISCIPLINARY PROCEEDINGS

COMES NOW, THE FLORIDA BAR, by and through its undersigned counsel, pursuant to Article XI, Rule 11.08(3) of the Integration Rule of The Florida Bar, and hereby submits this Response to Petitioner's Petition for Leave to Resign Pending Disciplinary Proceedings and states as follows:

1. That on or about January 20, 1984, The Florida Bar filed a three-count complaint against G. Robert Harris, Petitioner. Said complaint was duly assigned Supreme Court Case No. 64,768 and Circuit Judge Richard S. Fuller was appointed Referee.

2. That on or about June 22, 1984, Petitioner, G. Robert Harris, filed a Petition for Leave to Resign Pending Disciplinary Proceedings (hereinafter referred to as "Petition to Resign") pursuant to Rule 11.08 of the Integration Rule of The Florida Bar with the the Supreme Court of Florida.

3. That during or about July 1984, the Broward State Attorney's Office brought grand theft charges against Petitioner, Broward Circuit Court Case #84-7400-CF, based upon facts identical to the facts as alleged against Petitioner by The Florida Bar in its complaint in Supreme Court Case No. 64,768 set before the Honorable Richard S. Fuller, Referee. A copy of said complaint is attached as Exhibit 1.

4. That on or about August 8, 1984, Petitioner pled no contest to grand theft charges brought against him by the Broward State Attorney's Office.

5. That on or about August 8, 1984, Broward Circuit Judge Russell E. Seay, Jr. withheld adjudication of guilt based on Petitioner's no contest plea to grand theft charges and sentenced Petitioner to five (5) years probation with the condition that restitution be made to William R. Perrin (complaining witness in both criminal and bar matters) at a rate of \$200 per month.

6. That during or about August 1984, the Executive Committee of the Board of Governors of The Florida Bar considered the Petition to Resign and directed the filing of this response.

7. The Executive Committee of the Board of Governors of The Florida Bar has instructed the undersigned counsel to recommend to this Court acceptance of the Petition to Resign based upon the conditions set forth therein, and specifically the following:

(a) That Petitioner shall not apply for readmission for a period of three (3) years from the date of the Supreme Court's order accepting his resignation pursuant to Article XI, Rule 11.08(6) of the Integration Rule of The Florida Bar.

(b) That Petitioner complies with the terms of his five (5) year probation in Broward Circuit Case No. 84-7400-CF which includes the making of restitution at a rate of \$200 per month to William R. Perrin.

(c) That Petitioner pays all costs to date in the amount of \$805.85 with execution to issue with interest at a rate of 12% on all costs not paid within thirty (30) days of entry of an order by the Supreme Court accepting his resignation, unless time for payment is extended by the Board of Governors. An Affidavit As To Costs in Supreme Court Case No. 64,768 has been attached as Exhibit 2.

(d) That Petitioner cooperates with any Clients' Security Fund investigation and reimburses the Clients' Security Fund for any claim paid, including any claim which may be filed during the period of resignation.

(e) That Petitioner shall not apply for reinstatement until restitution has been made, disciplinary costs paid, and all Clients' Security Fund matters have been resolved.

WHEREFORE, The Florida Bar respectfully recommends that Petitioner's Petition for Leave to Resign Pending Disciplinary Proceedings be accepted based upon the aforementioned conditions.

Respectfully submitted,



LOUIS THALER
Bar Counsel
The Florida Bar
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Response to Petition for Leave to Resign Pending Disciplinary Proceedings was mailed to Sid J. White, Clerk, Supreme Court of Florida, Supreme Court Building, Tallahassee, Florida 32301 and that a true and correct copy was mailed to G. Robert Harris, Petitioner, 14515 Lake Candlewood Court, Miami Lakes, Florida 33014, this 20 day of August, 1984.



LOUIS THALER
Bar Counsel