

IN THE SUPREME COURT OF FLORIDA  
(Before A Referee)

**FILED**

SID J. WHITE

APR 1 1985

CLERK, SUPREME COURT

By \_\_\_\_\_  
Chief Deputy Clerk

THE FLORIDA BAR, )

Complainant, )

vs. )

THOMAS W. HEADLEY, )

Respondent. )

The Supreme Court Case  
No. 65,580

PETITION FOR REVIEW

THE FLORIDA BAR, Complainant, pursuant to article XI, Rule 11.09(3), Integration Rule of The Florida Bar, petitions the Court to review the REPORT OF REFEREE in the above-referenced matter dated January 21, 1985 and states as follows:

1. On January 21, 1985 the Referee filed his REPORT OF REFEREE in which he found THOMAS W. HEADLEY, Respondent, guilty of professional misconduct. The Referee recommended probation as a disciplinary sanction.

2. The Board of Governors of The Florida Bar considered the REPORT OF REFEREE at its meeting of March 13-16, 1985. The Board directed that a petition be filed with the Supreme Court for review of the Referee's recommendation as to discipline, and specifically the following:

a) The Referee's consideration of Respondent's alcoholism as a mitigating factor absent sufficient evidence demonstrating that Respondent's alcoholism both existed during the period in which the misconduct occurred and was causally related to the misconduct.

b) The Referee's failure to require proof of rehabilitation through reinstatement proceedings pursuant to article XI, Rule 11.11 of the Integration Rule of The Florida Bar.

c) The probationary terms recommended by the Referee.

WHEREFORE, THE FLORIDA BAR, respectfully petitions this Court to reject the Referee's recommendations as to discipline and in lieu thereof order Respondent suspended from the practice of law for a period of three months and one day, demonstrate proof of rehabilitation pursuant to the reinstatement procedures set forth in article XI, Rule 11.11 of the Integration Rule of The Florida Bar and pay costs.

Respectfully submitted,

*Patricia S. Etkin*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the Petition for Review was mailed to Sid White, Clerk, Supreme Court of Florida, Supreme Court Building, Tallahassee, FL 32301 and that a true and correct copy was mailed to Thomas W. Headley, by certified mail (#P-737-110-113), return receipt requested, at 10592 N.W. 7th Terrace, Miami, FL 33172, this 30 day of March, 1985.

*Patricia S. Etkin*  
PATRICIA S. ETKIN  
Bar Counsel