

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR

Complainant,

v.

RICHARD D. HAMRICK,

Respondent.

CONFIDENTIAL

Case No. 65,879
(TFB No. 13A83103)

AUG 28 1985

CLERK, SUPREME COURT

By _____
Chief Deputy Clerk

REPORT OF REFEREE

- I. Summary of Proceedings: Pursuant to the undersigned being duly appointed as referee to conduct disciplinary proceedings herein according to the article XI of the Integration Rule of The Florida Bar, a final hearing was held on June 24, 1985. The enclosed pleadings, orders, transcripts and exhibits are forwarded to The Supreme Court of Florida with this report, constitute the record in this case.

The following attorneys appeared as counsel for the parties:

For The Florida Bar: David R. Ristoff

For The Respondent: Pro Se

- II. Findings of Fact as to Each Item of Misconduct of Which the Respondent is Charged: After considering all the pleadings and evidence before me, I find the respondent guilty as to each act of misconduct alleged in the Complaint attached hereto.
- III. Recommendation as to Whether or not the Respondent Should Be Found Guilty: I recommend that the respondent be found guilty of the following violations of the Code of Professional Responsibility: That Richard D. Hamrick has violated Disciplinary Rules, DR 6-101(A)(3) (neglect of a legal matter); and DR 7-101(A)(1) (failure to seek the lawful objectives of the client).
- IV. Recommendation as to Disciplinary Measures to be Applied: I recommend that the respondent receive a Public Reprimand and be assessed the costs of these proceedings.
- V. Personal History and Past Disciplinary Record: After finding of guilt and prior to recommending discipline to be recommended pursuant to Rule 11.06(9)(a)(4), I considered the following history and prior disciplinary record of the respondent to wit:
- (1) Age: 35
 - (2) Date Admitted to Bar: August 22, 1975
 - (3) Respondent has no prior disciplinary record.
- VI. Statement of Costs and Manner in which Costs Should Be Taxed: I find the following costs were reasonably incurred by The Florida Bar.

A. Grievance Committee Level:		
1. Administrative Costs	\$	150.00
2. Court Reporter Costs		175.00
3. Staff Investigator Costs		180.45
B. Referee Level:		
1. Administrative Costs	\$	150.00
2. Court Reporter Costs		203.10
3. Staff Investigator Costs		43.50
4. Staff Counsel Expenses		14.28
TOTAL AMOUNT DUE TO DATE:	\$	<u>916.33</u>

It is apparent that other costs have or may be incurred. It is recommended that all such costs and expenses together with the foregoing itemized costs be charged to the respondent, and that interest at the statutory rate shall accrue and be payable beginning 30 days after the judgment in this case becomes final unless a waiver is granted by the Board of Governors of The Florida Bar.

DATED this 19th day of August, 1985.


 HONORABLE ROBERT F. MICHAEL
 Referee

Copies furnished to:
 Richard D. Hamrick, Respondent
 David R. Ristoff, Assistant Staff Counsel
 John T. Berry, Staff Counsel

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STATEMENT OF COSTS

A. Grievance Committee Level:

1. Administrative costs at the Grievance Committee level, Florida Bar Integration Rule, article XI, Rule 11.06(9)(a)		\$ 150.00
2. Court Reporter Costs (4/16/84)		
a. Appearance Fee	\$ 50.00	
b. Transcript	125.00	175.00
3. Staff Investigator Costs: (Martin S. Egan)		
a. 09/07/83.....(.4 hrs. @ \$14.00)	5.60	
b. 09/15/83.....(2.7 hrs. @ \$14.00)	37.80	
09/15/83.....(62 miles @ \$.25)	15.50	
09/15/83.....(Parking)	.50	
c. 09/19/83.....(.9 hrs. @ \$14.00)	12.60	
d. 09/20/83.....(1.0 hrs. @ \$14.00)	14.00	
09/20/83.....(53 miles @ \$.25)	13.25	
09/20/83.....(Parking)	.75	
e. 09/21/83.....(1.1 hrs. @ \$14.00)	15.40	
09/21/83.....(57 miles @ \$.25)	14.25	
09/21/83.....(Parking)	2.25	
f. 09/27/83.....(2.2 hrs. @ \$14.00)	30.80	
09/27/83.....(64 miles @ \$.25)	16.00	
09/27/83.....(Parking)	<u>1.75</u>	180.45

B. 1. Administrative costs at the Referee level, Florida Bar Integration Rule, article XI, Rule 11.06(9)(a)		150.00
2. Court Reporter Costs (6/24/85)		
a. Appearance Fee	\$ 37.50	
b. Transcript	165.60	203.10
3. Staff Investigator Costs (Martin S. Egan)		
a. 05/28/85.....(1.0 hrs. @ \$15.00)	15.00	
b. 06/07/85.....(1.9 hrs. @ \$15.00)	<u>28.50</u>	43.50
4. Staff Counsel Expenses: (David R. Ristoff)		
a. Transportation	13.78	
b. Parking50	<u>14.28</u>
TOTAL AMOUNT DUE TO DATE:		<u>\$916.33</u>

The above costs were incurred at the Grievance Committee and at the Referee level by The Florida Bar in the above-referenced case.

Respectfully submitted,

David R. Ristoff

DAVID R. RISTOFF
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The Florida Bar
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Tampa, Florida 33607
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Statement of Costs has been furnished by regular U.S. Mail to RICHARD D. HAMRICK, Respondent, 7221 North Bridge Road, Tampa, Florida 33615; and a copy to JOHN T. BERRY, Staff Counsel, The Florida Bar, Tallahassee, Florida 32301-8226; on this 25th day of July, 1985.

David R. Ristoff

DAVID R. RISTOFF