

66,682

IN THE SUPREME COURT OF FLORIDA

ALLEN S. PARISH,

Petitioner,

v.

THE FLORIDA BAR,

Respondent.

_____ /

CASE NO. _____

FILED

SID J. WHITE

MAR 8 1985

CLERK, SUPREME COURT

By _____
Clerk Deputy Clerk

PETITION FOR LEAVE TO RESIGN
PERMANENTLY, PENDING DISCIPLINARY PROCEEDINGS

COMES NOW, the petitioner, Allen S. Parish, pursuant to article XI, Rule 11.08, of the Integration Rule of The Florida Bar, and files this petition for leave to resign without the right to reapply and states the following:

1. Petitioner is 55 years old and has been a member of The Florida Bar since March 28, 1977.

2. There has been no past disciplinary action against petitioner.

3. The following is a statement of pending disciplinary actions against petitioner. The cases are presently assigned to the Honorable William A. Norris, Jr., Referee, for hearing.

A. In The Florida Bar Case No. 09C83C56, the petitioner, on at least five occasions, received fees from clients for professional services without recording the fees in the firm books or depositing the fees in a firm bank account,

thus depriving his partner of that portion of such fees to which he would be entitled;

B. In The Florida Bar Case No. 09C83C67, the petitioner received certain funds from a client, at the time she was arrested, for the purpose of obtaining a bond for her release from jail. It became unnecessary to expend those funds for that purpose. When the client requested the return of the funds, the petitioner refused to return them and, instead, credited them toward the fee owed petitioner by that client.

C. In The Florida Bar Case No. 09C83C85, the petitioner was retained to represent a client in a contested dissolution of marriage. The case was heard and a judgment signed. The petitioner, however, refused to file the judgment or give it to his client until his fee had been paid. When the court became aware that petitioner had failed to file the judgment, it ordered the petitioner to do so, and when the petitioner failed to file the order as required, the court issued an order to show cause and set a hearing date. The petitioner did not comply with the order to show cause, did not communicate with the court and did not appear for the hearing. A second order to show cause was issued and again the petitioner did not appear or communicate with the court. Eventually, however, the dissolution judgment was filed.

D. In The Florida Bar Case No. 09C84C03, petitioner gave his former wife twelve personal checks, each in the amount of \$300.00, in February, 1983, as payment on money owed her by

court order. He asked her to hold them until May, at which time he would have money in the bank to cover them. When his former wife attempted to cash the checks in May, they were returned for insufficient funds. He subsequently left the State of Florida driving a car the title to which he had previously signed over to his wife. She has not recovered the car.

4. That petitioner believes that the public interest will not be adversely affected by the granting of this petition in that permitting the petitioner to resign will not adversely affect the purity of the courts nor hinder the administration of justice nor the confidence of the public in the legal profession.

5. That petitioner understands that he would generally be liable for any costs incurred by The Florida Bar in prosecuting disciplinary proceedings against him. The petitioner is willing to reimburse The Florida Bar for the following costs incurred to date in the disciplinary proceedings that are listed as pending in this petition. Case No. 66,408, \$ 345.25.

6. That petitioner agrees to cooperate with any Clients' Security Fund investigation conducted by The Florida Bar and understands that he will remain liable to make restitution for moneys due to his clients concerning the above-mentioned pending cases.

7. The petitioner, Allen S. Parish, knows that he is petitioning for leave to resign without leave to reapply and that

he is consenting to never again be allowed to practice law in the State of Florida.

8. Counsel has not been retained in this matter and the petitioner is voluntarily submitting this petition.

9. Petitioner agrees to a waiver of confidentiality regarding the facts of this petition.

WHEREFORE, petitioner respectfully prays that this Court will enter an order granting him leave to resign from The Florida Bar pending disciplinary proceedings, without leave to reapply.

Allen S. Parish
Allen S. Parish, Petitioner

Date: March 4, 1985

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Petition for Leave to Resign Permanently, Pending Disciplinary Proceedings has been furnished by mail to the Clerk of the Supreme Court of Florida, Supreme Court Building, Tallahassee, Florida 32301; a copy of the foregoing Petition has been furnished by mail to the Honorable William A. Norris, Jr., Referee, Post Office Box 927, Bartow, Florida 33830; a copy of the foregoing Petition has been furnished by mail to Bar Counsel, The Florida Bar, 605 East Robinson Street, Suite 610, Orlando, Florida 32801; a copy of the foregoing Petition has been furnished by mail to Staff Counsel, The Florida Bar, Tallahassee, Florida 32301 on this 4th day of March, 1985.

Allen S. Parish
Allen S. Parish, Petitioner

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