

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,  
Complainant,

v.

LARRY G. RIGHTMYER,  
Respondent.

CONFIDENTIAL

Case No. 67,541  
(TFB No. 06D85H07)

**FILED**  
SID J. WHITE  
FEB 10 1986  
CLERK, SUPREME COURT  
By \_\_\_\_\_  
Chief Deputy Clerk

*Filed with Court  
2-7-86  
BS referee*

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 January 15, 1986. 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

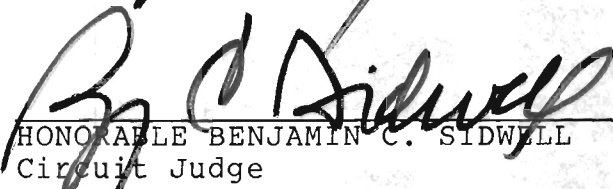
For The Respondent Richard T. Earle, Jr.

- 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 accept the tendered Conditional Guilty Plea for Consent Judgment for Public Reprimand and Payment of Costs which admits to each act of misconduct alleged in the complaint attached hereto.
- III. Recommendation as to Whether or Not the Respondent Should Be Found Guilty: That respondent has violated Disciplinary Rules, DR 1-102(A)(4) (conduct involving deceit, dishonesty, and misrepresentation); and DR 6-101(A)(3) (neglecting a legal matter entrusted to him).
- IV. Recommendation as to Disciplinary Measures to be Applied: I recommend that the respondent receive a public reprimand and payment of costs of these proceedings. (Amended Statement of Costs attached)
- 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 personal history and prior disciplinary record of the respondent to wit:
- (1) Age: 49
  - (2) Date admitted to Bar: October 15, 1965
  - (3) Mitigating Factors: No prior disciplinary record.

VI. See attached Amended Statement of Costs.

It is apparent that other costs have or may be incurred. It is recommended that all such costs and expenses together with the Statement of 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 7<sup>th</sup> day of February, 1986.

  
\_\_\_\_\_  
HONORABLE BENJAMIN C. SIDWELL  
Circuit Judge  
Referee

Copies furnished to:

John T. Berry, Staff Counsel  
David R. Ristoff, Assistant Staff Counsel  
Richard T. Earle, Jr., Attorney for Respondent