

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,

vs.

ROBERT F. THOMPSON,
Respondent.

CASE NO: 69,594
(TFB NOS. 12B86H12
12B86H16, 12B85H50
12B85H92, 12B85H62).

FILED 10/23/87 C

REPORT OF REFEREE

pl

THIS CAUSE having come before this Referee on October 22, 1987 for the presentation by The Florida Bar of argument as to what might be an appropriate disposition in this cause and for the respondent to make argument in mitigation, and

There also came before this Referee on said date the Order to Show Cause filed herein by this Referee and there being present David R. Ristoff, representing The Florida Bar and the Respondent, Pro Se, and this Referee having considered that Respondent did admit having violated disciplinary Rule 6.101(a)(3) as to Counts 1, 2, 3, and 4 of the Complaint filed herein and having entered a No Contest plea as to having violated said Rule as it relates to Count 5, said Rule relating to the neglect of matters entrusted to him in his capacity as an attorney, and this Referee having found that Respondent has in fact violated the disciplinary Rule 6.101(a)(3) as it relates to all five counts hereby makes the following findings as to what would constitute an appropriate disposition in this cause:

1. The Respondent's neglect in these five counts is consistent with his neglect in attending the hearings in this cause and appearing at the designated time. Said neglectful attitude is consistent with the concern previously expressed by this Referee in Case No. 66,399 wherein it was found that the defendant was in possession of a residual amount of cocaine. The fact that respondent continues to be neglectful in his attention to these matters

is indicative of the fact that he has not yet overcome that which causes this neglectful attitude and indicates that he is not now ready to resume the representation of individuals as an attorney. Respondent is not found to be in contempt of this Referee for his failure to appear at the hearing (even though he did not call or advise of anything which interfered in his presence) as Respondent did in fact conduct himself in a respectful and contrite fashion and does appear to have appropriate respect for the office of Referee. This was not an act of contempt, but rather one of neglect. Respondent is not a mean or hostile individual, but rather a relatively bright, but disfunctioning person.

Special attention should be given to the fact that there was not one, but five separate incidents of neglect. Each one taken individually without considering the pattern perhaps would warrant a reprimand. However, the cumulative nature of these incidents and the continuing evidence of neglect require a period of suspension. The Florida Bar v. Vernell, 374 So.2d, 473 (Fla. 1979).

It is, therefore, the recommendation of this Referee that Respondent's license to practice law in the State of Florida be suspended for a period of two years, effective this date, and that during the two year period that he be considered on probation with the condition that he pay court costs in the amount of \$ 2,473.27 within said two year period and further that he undergo a drug evaluation within forty-five (45) days of the date of this Order, and undergo such treatment as is indicated appropriate and that he provide random urine samples for analysis at the discretion of the treatment provider, at respondent's expense, assuming treatment is indicated, and absent same, at the discretion of the evaluating individual or agency.

DATED this 4th day of February, 1988, in Tampa,
Hillsborough County, Florida.


DONALD C. EVANS
CIRCUIT JUDGE

Copies furnished to:

Supreme Court of Florida
Robert F. Thompson
David R. Ristoff, The Florida Bar

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,
v.
ROBERT F. THOMPSON,
Respondent.

CASE NO. 69,594
TFB No. 85-13-377-(12B)
(formerly 12B85H50)
TFB No. 85-13-388-(12B)
(formerly 12B85H62)
TFB No. 85-13-415-(12B)
(formerly 12B85H92)
TFB No. 86-19-177-(12B)
(formerly 12B8H12)
TFB No. 86-19-181-(12B)

AMENDMENT TO REPORT OF REFEREE

The Respondent having brought before this Referee ^M on March 4, 1988 his "Motion for Rehearing, Clarification, or to Amend Report of Referee" and this Referee having heard argument of the parties and being otherwise advised in the premises finds that the previously reported recommended suspension of two years is inappropriate, the recommendation is hereby amended to recommend that the Respondent's license to practice law in the State of Florida be suspended for a period of one year, and that the Report otherwise remains the same.

Dated this 5th day of March, 1988.



Donald C. Evans
Referee

Copies furnished to:

Supreme Court of Florida
David R. Ristoff, The Florida Bar
Robert F. Thompson, Respondent