

Supreme Court of Florida

No. 72,426

THE FLORIDA BAR, Complainant,

vs.

RICHARD K. FINK, Respondent.

[August 25, 1988]

PER CURIAM.

This proceeding is before the Court on the petition of Richard K. Fink for leave to resign from The Florida Bar. Requests for leave to resign when disciplinary proceedings are pending are governed by rule 3-7.11 of the Rules Regulating The Florida Bar.

In his petition for leave to resign, respondent acknowledges that he is under investigation for the improper removal of funds from a trust. The petition states that resignation is requested without leave to apply for readmission. The Florida Bar requests that we grant the respondent leave to resign.

We find that the criteria governing resignation while disciplinary proceedings are pending are satisfied in this case. We therefore grant the petition. Richard K. Fink is permitted to resign permanently from The Florida Bar. So that he can close his practice in an orderly fashion, this resignation shall take

effect September 26, 1988.

It is so ordered.

EHRlich, C.J., and OVERTON, McDONALD, SHAW, BARKETT, GRIMES and
KOGAN, J.J., Concur

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF
FILED, DETERMINED. THE FILING OF A MOTION FOR REHEARING SHALL
NOT ALTER THE EFFECTIVE DATE OF THIS RESIGNATION.

Original Proceeding - The Florida Bar

John F. Harkness, Jr., Executive Director and John T. Berry,
Staff Counsel, Tallahassee, Florida; and Paul A. Gross, Bar
Counsel, Miami, Florida,

for Complainant

Richard K. Fink, in proper person, Miami, Florida,

for Respondent