

Supreme Court of Florida

THURSDAY, APRIL 20, 2006

CASE NO.: SC04-185

FLORIDA BOARD OF BAR
EXAMINERS

RE: W.F.H.

Upon consideration of W.F.H.'s Petition for Review filed in the above cause, based on the totality of the circumstances, the findings of fact and conclusions of law, the recommendation of the Florida Board of Bar Examiners that W.F.H. not be admitted to The Florida Bar is approved. This Court concludes that the total circumstances and underlying facts of the instant case, which involve misconduct by a sworn law enforcement officer, are so egregious and extreme, and impact so adversely on the character and fitness of W.F.H., that the recommendation of the Florida Board of Bar Examiners must be approved. We further conclude that under the totality of the circumstances, the grievous nature of the misconduct mandates that W.F.H. not be admitted to the Bar now or at any time in the future. Accordingly, W.F.H.'s petition is hereby denied.

PARIENTE, C.J., and ANSTEAD, LEWIS and QUINCE, concur.
WELLS, J., concurs in result only with an opinion, in which CANTERO and BELL, JJ., concur.

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



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Served:

JOHN ANTHONY BOGGS
ELEANOR MITCHELL HUNTER
THOMAS A. POBJECKY
ANDREW SCOTT BERMAN
RICHARD C. MCFARLAIN

WELLS, J., concurring in result only.

I concur only in this result. However, I believe that the Board erred and we erred in not making this decision at the time of W.F.H.'s first petition, rather than allowing W.F.H. to reapply when a reapplication was futile. I regret this for reasons of fundamental fairness.

CANTERO and BELL, JJ., concur.