

Supreme Court of Florida

WHEREAS, it officially has been made known to me that it is necessary to appoint a referee for the Court pursuant to rule 3-7.6(a), Rules Regulating the Florida Bar, to preside in a disciplinary action brought by The Florida Bar pursuant to Chapter 3 of the Rules Regulating the Florida Bar in the matter of:

The Florida Bar vs. Jeremy W. Alters,
Supreme Court Case No. SC11-2467;

NOW, THEREFORE, I, Charles T. Canady, under authority vested in me as Chief Justice of the Supreme Court of Florida, do hereby designate The Honorable Joel H. Brown, Chief Judge of the Eleventh Judicial Circuit Court of Florida, to **immediately** appoint a referee for the Court in the above matter and to notify the Clerk of the Florida Supreme Court and the parties as to the judge appointed as referee. The referee shall hear, conduct, try, and determine the matters presented **within seven days from the date of the assignment** and thereafter shall submit a report and recommendation to the Supreme Court of Florida **within seven days of the date of the hearing** as provided in rule 3-5.2(f)(2). Pursuant to rule 3-5.2(f)(2) any order by the referee regarding disposition of the case shall be merely a recommendation to this Court.

Such an order shall not dispose of the proceedings. This Court shall review and, if appropriate, approve the referee's recommended disposition order.

DONE AND ORDERED at Tallahassee, Florida, on December 28, 2011.

Chas. T. Canady

CHIEF JUSTICE

SUPREME COURT OF FLORIDA

ATTEST:

By: *Barbara Stanley Rice*
Deputy Clerk



THOMAS D. HALO

CLERK, SUPREME COURT

Enclosed: Petition for Emergency Suspension; Petition to Declare Rule 3-5.2 Unconstitutional as Applied and Response to Florida Bar's Petition for Emergency Suspension; Notice of Confidential Information Within Court Filing; Supplement to Petition to Declare Rule 3-5.2 Unconstitutional as Applied; Notice of Filing Certificate of Service; Notice of Filing Affidavit; and Orders dated December 28, 2011.

Supreme Court of Florida

WEDNESDAY, DECEMBER 28, 2011

CASE NO.: SC11-2467

Lower Tribunal No(s): 2012-70,518(11P)

THE FLORIDA BAR

vs. JEREMY W. ALTERS

Complainant(s)

Respondent(s)

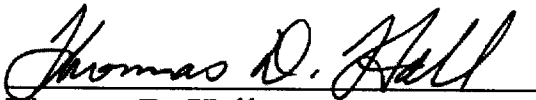
The Petition for Emergency Suspension filed pursuant to Rule 3-5.2 of the Rules Regulating the Florida Bar is approved and it is hereby ordered that the Respondent is suspended from the practice of law until further order of this Court, and respondent is ordered:

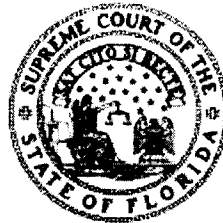
- a. to accept no new clients from the date of this Court's order and to cease representing any clients after thirty days of this Court's order;
- b. to immediately furnish a copy of respondent's suspension order to all clients, opposing counsel and courts before which respondent is counsel of record and to furnish Staff Counsel of The Florida Bar with the requisite affidavit listing all clients, opposing counsel and courts so informed within thirty days of this Court's order;
- c. to stop disbursing or withdrawing any monies from any trust account without approval of the Florida Supreme Court or a referee appointed by the Florida Supreme Court or by order of the circuit court in which an inventory attorney has been appointed;
- d. to deposit into a specified trust account all sums received from the practice of law, whether as fees, costs, deposits, or trust funds, within thirty days of this Court's order and to immediately advise Bar Counsel of the receipt and location of said funds; and
- e. to immediately notify in writing all financial institutions in which respondent maintains trust accounts of the provisions of respondent's suspension and to provide said financial institutions with a copy of this Court's order, and furthermore, to provide Bar Counsel with a copy of the notice sent to each financial institution.

Not final until time expires to file motion for rehearing, and if filed, determined. The filing of a motion for rehearing shall not alter the effective date of this suspension.

LEWIS, QUINCE, LABARGA, and PERRY, JJ., concur.
CANADY, C.J., and PARIENTE, and POLSTON, JJ., dissent and would refer on expedited basis to referee for recommendation on emergency suspension.

A True Copy
Test:


Thomas D. Hall
Clerk, Supreme Court



bhp
Served:

KENNETH LAWRENCE MARVIN
WILLIAM MULLIGAN
ANDREW SCOTT BERMAN

Supreme Court of Florida

WEDNESDAY, DECEMBER 28, 2011

CASE NO.: SC11-2467

Lower Tribunal No(s): 2012-70,518(11P)

THE FLORIDA BAR

vs. JEREMY W. ALTERS

Petitioner(s)

Respondent(s)

Respondent's Response to The Florida Bar's Petition for Emergency Suspension has been treated as motion for dissolution and the above matter has been referred to the Chief Judge of the Eleventh Judicial Circuit for the appointment of a referee pursuant to rule 3-5.2(f).

LEWIS, LABARGA, and PERRY, JJ., concur.

CANADY, C.J., and PARIENTE, and POLSTON, JJ., concur but would appoint a referee prior to entering emergency suspension.

QUINCE, J., dissents and would deny the motion for dissolution.

Respondent's Petition to Declare Rule 3-5.2 Unconstitutional as Applied and the supplement thereto are hereby deferred.

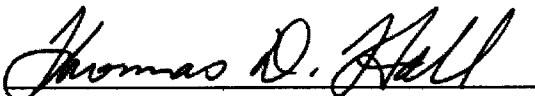
LEWIS, LABARGA, and PERRY, JJ., concur.

CANADY, C.J., and PARIENTE, and POLSTON, JJ., concur but would deny as moot if referee appointed prior to entering emergency suspension.

QUINCE, J., would deny the petition to declare rule 3-5.2 unconstitutional as applied.

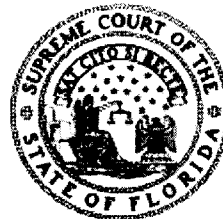
A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



bhp

Served:

KENNETH LAWRENCE MARVIN

HON. JOEL H. BROWN, CHIEF JUDGE

WILLIAM MULLIGAN

ANDREW SCOTT BERMAN