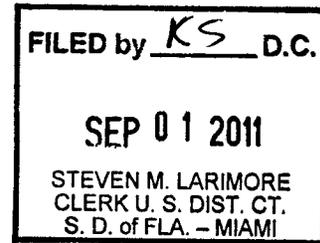


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2011-75

IN RE: GEORGE MICHAEL EVANS  
Florida Bar # 229113

---



**ORDER ON MOTION TO SET ASIDE ORDER OF SUSPENSION DATED AUGUST 8,  
2011 AND MOTION FOR STAY OF ORDER TO SHOW CAUSE**

This Court is in receipt of George Michael Evans' August 19, 2011 Motion to Set Aside Order of Suspension Dated August 8, 2011 and the Motion for Stay of Order to Show Cause filed by his counsel on May 31, 2011. Evans represents that this Court's August 8, 2011 order of suspension should be set aside because it was entered without regard to his Motion for Stay of Order to Show Cause, which was erroneously returned due to clerical error. Evans argues in his Motion for Stay of Order to Show Cause that he is actively defending his suspension in the state court and that reciprocal discipline should be stayed until the completion of a final hearing before the referee.

While the Court acknowledges that Evans' Motion for Stay of Order to Show Cause was erroneously returned to sender, the arguments raised in the motion are insufficient to preclude reciprocal discipline. The Court notes that reciprocal discipline may be delayed where state proceedings are stayed, *see* Attorney Discipline Rule 5(c), but that is not the case here. The fact remains that Evans is suspended during the pendency of any additional state disciplinary proceedings. Given that posture, reciprocal suspension is appropriate here as well. An attorney cannot practice before this Court if that attorney is not currently an active attorney in good standing with the Florida Bar. *See* Rule 3 of the Special Rules Governing the Admission and Practice of Attorney. If suspension is lifted at some point in the future, he would be free to also seek to have this reciprocal suspension lifted as well. With this background, and the Court being fully advised of the matter, it is,

ORDERED that the above referenced motions are DENIED.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 30<sup>th</sup>  
day of August, 2011.

  
\_\_\_\_\_  
FEDERICO A. MORENO  
CHIEF UNITED STATES DISTRICT JUDGE

Copies furnished as follows:

- c: Honorable Joel F. Dubina, Chief Judge, Eleventh Circuit
- All Miami Eleventh Circuit Court of Appeals Judges
- All Southern District Judges
- All Southern District Magistrate Judges
- United States Attorney
- Circuit Executive
- Federal Public Defender
- Clerk of Court
- Clerk of Court, 11<sup>th</sup> Circuit
- National Lawyer Regulatory Data Bank
- Florida Bar
- Attorney Admissions Clerk
- Library
- George Michael Evans