

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2014-45

IN RE: RICHARD MARTIN NELSON
Florida Bar # 603376

FILED by KS D.C.

MAY 08 2014

STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S. D. of FLA - MIAMI

ORDER OF DISBARMENT

The Supreme Court of Florida has entered an Order of Suspension dated January 6, 2014, suspending Richard Martin Nelson from the practice of law. *See The Florida Bar v. Nelson*, 133 So. 3d 528 (Fla. 2014). The suspension was predicated on The Florida Bar's Petition for Emergency Suspension. The Clerk attempted to serve attorney Nelson by certified mail with an Order to Show Cause why this Court should not impose the same discipline, accompanied by the Supreme Court of Florida's Order of Suspension.

Following the January 6, 2014 Order of Suspension, Nelson filed an uncontested petition for disciplinary revocation with leave to seek readmission after five years with the Florida Supreme Court. On April 7, 2014, the Florida Supreme Court granted the petition, *see In re Petition for Disciplinary Revocation of Richard Martin Nelson*, No. SC14-323, 2014 WL 1647388 (Fla. April 7, 2014), and dismissed the case that was the basis for the January 6th Order of Suspension and this Court's Order to Show Cause, *see The Florida Bar v. Nelson*, No. SC13-2397, 2014 WL 1647340 (Fla. April 7, 2014).

In light of these circumstances, this Court vacates the Clerk's Order to Show Cause as moot and makes the following findings. Disciplinary revocation is tantamount to disbarment pursuant to Rules 3-7.12 and 3-5.1(g) of the Rules Regulating The Florida Bar. Rule 6(b) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, provides that "[a]n attorney . . . who shall be ... disbarred on consent or resign

from the bar of any other court . . . while an investigation into allegations of misconduct is pending shall. . . cease to be permitted to practice before this Court and be stricken from the roll of attorneys admitted to practice before this Court." Disbarment on consent makes service of an Order to Show Cause unnecessary and the attorney may be immediately disbarred. Pursuant to Rule 6(b) and the inherent authority of this Court to oversee officers admitted to membership in its bar, *see Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991) ("[A] federal court has the power to control admission to its bar and to discipline attorneys who appear before it."), it is

ORDERED that the above named attorney be disbarred from practice in this Court, effective immediately.

It is FURTHER ORDERED that the Clerk of Court shall strike this attorney from the roll of attorneys from the United States District Court for the Southern District of Florida, and shall also immediately revoke the attorney's CM/ECF password.

It is FURTHER ORDERED by this Court that said attorney advise the Clerk of Court of all pending cases before this Court in which he is counsel or co-counsel of record.

It is FURTHER ORDERED by this Court that the Clerk of Court shall attempt to serve by certified mail a copy of this Order of Disbarment upon the attorney at his court record address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 7th
day of May, 2014.



FEDERICO A. MORENO
CHIEF UNITED STATES DISTRICT JUDGE

c: All Miami Eleventh Circuit Court of Appeals Judges
All Southern District Judges
All Southern District Bankruptcy Judges
All Southern District Magistrate Judges
United States Attorney
Circuit Executive
Federal Public Defender
Clerks of Court – District, Bankruptcy and 11th Circuit
Florida Bar and National Lawyer Regulatory Data Bank
Library
Richard Martin Nelson