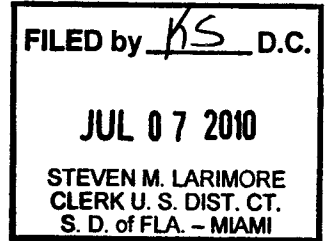


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2010-87

IN RE: JACQUELINE MEZQUITA FERNANDEZ  
FLORIDA BAR # 181986

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**ORDER OF SUSPENSION**

This matter is before the Court on an Order to Show Cause why this Court should not impose reciprocal discipline identical to that exercised by the Florida Supreme Court. That Court in The Florida Bar v. Fernandez, 990 So. 2d 1060 (Fla. 2008) approved the uncontested report of the Referee for the Supreme Court of Florida, based upon a complaint filed by The Florida Bar, and suspended attorney Fernandez from the practice of law for eighteen months. The attorney has filed a response to the Order to Show Cause and has stated no deficiencies in the state proceedings nor grounds that would merit withholding identical reciprocal discipline.

“[A] federal court has the power to control admission to its bar and to discipline attorneys who appear before it.” *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991); *see also Theard v. United States*, 354 U.S. 278, 282 (1957) (“[D]isbarment by federal courts does not automatically flow from disbarment by state courts.”). State court disciplinary actions should be accorded federal effect, unless it appears from an “intrinsic consideration” of the state record that: (1) the state disciplinary proceeding lacked due process; (2) the proof supporting the discipline by the state court was so infirm as to give a federal court the “clear conviction” that a reciprocal disciplinary order is inappropriate; or (3) another grave reason convinces the federal court that the state court discipline should not give rise to federal court discipline, under the principles of right and justice. *Matter of Calvo*, 88 F.3d 962, 966-67 (11th Cir. 1996) (citing *Selling v. Radford*, 243 U.S. 46, 51 (1917)); *see*

also Rule 5(e), S.D. Fla. Rules Governing Attorney Discipline (requiring Selling-based analysis in disciplinary actions). Respondent has failed to meet these compelling standards.

While Respondent claims that she has served the terms of her suspension, she has not offered proof of reinstatement by The Florida Bar. Pursuant to Rule 9(a) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, “[a]n attorney seeking reinstatement after reciprocal disbarment or suspension must meet the same criteria as an attorney seeking original admission under Rule 1 of the Special Rules Governing the Admission and Practice of Attorneys, in that he or she must first seek and obtain reinstatement by The Florida Bar.” Accordingly, it is

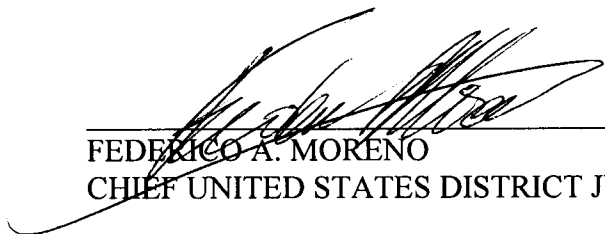
ORDERED AND ADJUDGED that attorney Jacqueline Mezquita Fernandez be suspended from practice in this Court, effective immediately. The Clerk shall immediately revoke the attorney’s CM/ECF password.

IT IS FURTHER ORDERED that this suspension shall remain in effect until final disposition of the disciplinary proceedings commenced by the Order to Show Cause, or until such time as the Court lifts this suspension upon the appearance and request of the attorney.

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

IT IS FURTHER ORDERED by this Court that the Clerk of Court shall serve by certified mail a copy of this Order of Suspension upon the attorney at her court record address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this   02   day of July, 2010.

  
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FEDERICO A. MORENO  
CHIEF UNITED STATES DISTRICT JUDGE

c: Honorable Joel F. Dubina, Chief Judge, Eleventh Circuit  
All Miami Eleventh Circuit Court of Appeals Judges  
All Southern District and Magistrate Judges  
United States Attorney  
Circuit Executive  
Federal Public Defender  
Clerk of Court, 11th Circuit  
Clerk of Court  
National Lawyer Regulatory Data Bank  
Florida Bar  
Attorney Admissions Clerk  
Library  
Jacqueline Mezquita Fernandez