

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2012-47

IN RE: KIMBERLY S. DAISE  
Florida Bar # 813532

FILED by AS D.C.

JUN 06 2012

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

**ORDER OF SUSPENSION**

On April 18, 2012, the United States District Court for the Southern District of Florida entered a Judgment against attorney Kimberly S. Daise, adjudicating her guilty of one count of conspiracy to commit bank fraud and wire fraud. *See U.S. v. Daise*, No. 9:11-80175 CR RYSKAMP (S.D. Fla. April 18, 2012). Rule 4(a) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, provides that “[u]pon the filing with this Court of a certified copy of a judgment of conviction demonstrating that any attorney admitted to practice before the Court has been convicted in any court of the United States . . . of any serious crime as herein defined, the Court shall enter an order immediately suspending that attorney.” A “serious crime” has been defined by Rule 4(b) to “include any felony” that involves “fraud.”

The Florida Bar filed a Notice of Determination of Guilt on March 9, 2012 with the Florida Supreme Court based upon attorney Daise’s January 11, 2012 plea agreement. Subsequently, the Florida Supreme Court entered an Order of Suspension dated March 9, 2012, suspending attorney Daise from the practice of law. *See The Florida Bar v. Daise*, No. SC12-461, 2012 WL 888986 (Fla. March 9, 2012).

Under these circumstances involving suspension upon conviction, service of an Order to Show Cause is unnecessary and the attorney may be immediately suspended. Pursuant to Rule 4(a) and (b), and the Court’s inherent power to regulate membership in its bar for the protection of the public interest, *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 said attorney be suspended from practice in this Court, effective

immediately. The Clerk of Court shall strike this attorney from the roll of attorneys eligible to practice in 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 she is counsel or co-counsel of record.

IT IS FURTHER ORDERED by this Court that the Clerk of Court attempt to 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 6<sup>th</sup> day of June, 2012.

  
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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 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  
Kimberly S. Daise