

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2016-27

In re: CHARLES FRANCIS MCKINNON
Florida Bar # 74462



ORDER OF DISBARMENT

The Supreme Court of Florida entered an Order of Suspension dated December 3, 2015, suspending Charles Francis McKinnon from the practice of law in response to The Florida Bar's Petition for Emergency Suspension. *See The Florida Bar v. McKinnon*, No. SC15-2147, 2015 WL 7889860 (Fla. Dec. 3, 2015). The Clerk attempted to serve attorney McKinnon by certified mail with an Order to Show Cause why this Court should not impose the same discipline and attached the Supreme Court of Florida's December 3 Order of Suspension.

Following the December 3, 2015 Order of Suspension, McKinnon filed an uncontested Amended Petition for Disciplinary Revocation with Leave to Reapply for Readmission with the Florida Supreme Court. On March 3, 2016, the Florida Supreme Court granted the petition, *see In re Petition for Disciplinary Revocation of Charles Francis McKinnon*, No. SC16-4, 2016 WL 854114 (Fla. March 3, 2016), and dismissed the disciplinary cases that were the basis for the December 3, 2015 Order of Suspension and this Court's Order to Show Cause, *see The Florida Bar v. McKinnon*, No. SC 15-2147, 2016 WL 853915 (Fla. Mar. 3, 2016) and *The Florida Bar v. McKinnon*, No. SC15-2052, 2016 WL 853909 (Fla. Mar. 3, 2016).

In light of these circumstances, the 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 Discipline Rules 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 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 the above named attorney be disbarred from practice in this Court, effective immediately. The attorney may not resume the practice of law before this Court until reinstated by order of this Court. *See* Rule 9(a).

IT IS FURTHER ORDERED that 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 he 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 his court record address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 1st day of June, 2016.

 Kevin Michael Moore
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K. MICHAEL MOORE
CHIEF UNITED STATES DISTRICT JUDGE

c: 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
Charles Francis McKinnon