

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2017-27

In re: **ANDREW JOHN GERSON**  
**Florida Bar # 839531**

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**ORDER OF SUSPENSION**

The Supreme Court of Florida entered an Order of Suspension dated April 10, 2017, suspending Andrew John Gerson from the practice of law. *See The Florida Bar v. Gerson*, No. SC17-639, 2017 WL 1318551 (Fla. April 10, 2017). The suspension was predicated on a Notice of Determination or Judgment of Guilt, which disclosed that Mr. Gerson entered a plea of nolo contendere to the third degree felony charge of carrying a concealed firearm in the Ninth Judicial Circuit Court of Florida, which withheld adjudication. *See State of Florida v. Andrew John Gerson*, Case No. 2015-CF-015827-A-O (Fla. 9th Cir. Ct. March 29, 2017).

The Clerk attempted to serve attorney Gerson 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. Service at Gerson's court record and Florida Bar address was signed with an illegible signature without notation as to "agent" or addressee."

Rule 5(a) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, requires that "[a]n attorney admitted to practice before this Court shall, upon being subjected to suspension or disbarment . . . promptly inform the Clerk of the Court of such action." Rule 5(d) provides in pertinent part that after expiration of the time for submitting a response to an Order to Show Cause, "the Court may impose the identical discipline or may impose any other sanction the Court may deem appropriate." Given this background, pursuant to Rule 5(a) and (d) 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 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 17th day of May, 2017.

  
K. MICHAEL MOORE  
CHIEF UNITED STATES DISTRICT JUDGE

c: All South Florida 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 11<sup>th</sup> Circuit  
Florida Bar and National Lawyer Regulatory Data Bank  
Library  
Andrew John Gerson