

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2018-59  
CASE NO. 18-MC-22762

IN RE: **BYRON GREGORY PETERSEN**  
**FLORIDA BAR # 220434**

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**ORDER OF SUSPENSION**

The Supreme Court of Florida entered an Order of Suspension dated July 5, 2018, suspending Byron Gregory Petersen from the practice of law for three (3) years. *See The Florida Bar v. Petersen*, No. SC14-1942, 2018 WL 3301476 (Fla. July 5, 2018). That Order of Suspension was predicated on a report of the referee. The Clerk served attorney Petersen 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. Petersen responded, filing two responses and a Notice of Suspension. Petersen seeks permission to voluntarily resign from this Court's bar. If resignation is not permissible, Peterson states he will consent to reciprocal discipline despite disagreement with the rulings of the referee and Florida Supreme Court. Peterson also requests not to be required to produce the record on file for the Florida Supreme Court proceeding as directed in the Order to Show Cause.

Rule 9(c) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys, Local Rules of the United States District Court for the Southern District of Florida (hereinafter Disciplinary Rules) provides that "[a]n attorney may resign from the bar of this Court by notifying the Clerk of Court in writing and only if the attorney is in good standing, is not counsel of record in an active case, and is not subject to any disciplinary proceedings." Because Petersen is subject to disciplinary proceedings by virtue of the Order to Show Cause, resignation is not permissible.

Disciplinary Rule 8(d) provides that “[a]fter consideration of the response called for by the” order to show cause “the Court may impose the identical discipline or may impose any other sanction the Court may deem appropriate.” Pursuant to Rule 8(d) 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 said attorney be suspended from practice in this Court for a period of three (3) years, effective immediately. The attorney may not resume the practice of law before this Court until reinstated by order of this Court. *See* Rule 12(a). 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 that Petersen is relieved from having to file a copy of the entire state record, including bar complaints, responsive pleadings, referee’s reports, opinions, and transcripts of any and all hearings relating to the state suspension proceedings as directed by the Order to Show Cause. It is further

ORDERED that the Clerk of Court serve by certified mail a copy of this Order of Suspension upon the attorney at his court record and Florida Bar addresses.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 20th day of August, 2018.



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K. MICHAEL MOORE  
UNITED STATES CHIEF 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  
Byron Gregory Petersen