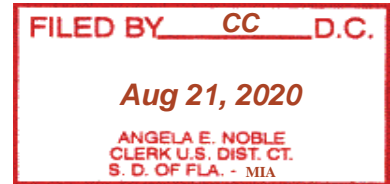


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2020-56
CASE # 19-MC-22064

In re: **MARCUS RAYMOND SPAGNOLETTI**
FLORIDA BAR # 85430



ORDER ADOPTING FINAL REPORT AND RECOMMENDATION

On July 9, 2019, this Court asked the Ad Hoc Committee on Attorney Admissions, Peer Review, and Attorney Grievance (the “Committee”) to conduct disciplinary proceedings based on attorney Marcus Raymond Spagnoletti’s actions that led to the discipline of his Texas bar license by the State Bar of Texas. (ECF No. 4). Spagnoletti was suspended from the practice of law in Texas for a period of two years, with his suspension being fully probated. *See Commission for Lawyer Discipline v. Spagnoletti*, Nos. 201604151, 201605276 (Tex. Apr. 5, 2019) (“Texas Order”) (ECF No. 1). Prior to referral to the Committee, this Court issued an Order to Show Cause for Spagnoletti to respond to the Texas Order. (ECF No. 2). Spagnoletti responded that he “has no cause to argue why this Court should not impose the identical discipline as ordered as a result of the Texas State Bar proceedings” and “is ready, and would willingly accept identical discipline in this Court of a fully-probated suspension.” (ECF No. 3).

On May 6, 2020, having appointed a subcommittee to review the file and speak with Spagnoletti’s attorney, the Committee issued its Report and Recommendation, recommending “that Mr. Spagnoletti be placed on Probation with [this Court] . . . until his probated suspension period expires on May 1, 2021 [and] . . . [that he] be required to complete a continuing legal education course on ‘Trust Accounting’ and a separate continuing legal education course on a lawyer’s ethical obligations to his client.” (ECF No. 5). On May 19, 2020, Spagnoletti filed a Response to Report and Recommendation, stating that he “accepts” the Committee’s

recommendations. (ECF No. 6). That day, the Committee submitted its Final Report and Recommendation, with the same conclusions and recommendations as its initial Report and Recommendation. (ECF No. 7).

Given this background, in accordance with Rule 8(d) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys (“Attorney Rules”), 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.”), having reviewed the file, considered the Committee’s Final Report and Recommendation and Response to Report and Recommendation, it is hereby

ORDERED AND ADJUDGED that the Committee’s Final Report and Recommendation is ADOPTED and the matter is CLOSED.

IT IS FURTHER ORDERED as follows:

1. Spagnoletti is to be placed on Probation with this Court until his probated suspension period, as stated in the Texas Order, expires on May 1, 2021; and
2. Spagnoletti is to complete a continuing legal education course on “Trust Accounting” and a separate continuing legal education course on a lawyer’s ethical obligations to his client. Both courses are to be completed prior to the expiration of the probationary period with certificates of completion thereof being submitted to the Court.

DONE and ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 21st day of August, 2020.

A handwritten signature in blue ink, appearing to read "K. Michael Moore", is written over a horizontal line.

K. MICHAEL MOORE
CHIEF UNITED STATES DISTRICT JUDGE

Copies furnished as follows:
See attached

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 11th Circuit
Florida Bar and National Lawyer Regulatory Data Bank
Library
Clinton Payne, Chair, Ad Hoc Committee on Attorney Admissions, Peer Review and
Attorney Grievance
Brian Tannebaum, counsel for Marcus Raymond Spagnoletti
Marcus Raymond Spagnoletti