## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

## ADMINISTRATIVE ORDER 2021-15 CASE # 21-MC-20090

# IN RE: BARBARA JEAN THRONE FLORIDA BAR # 776505

FILED BY	CC	_D.C.
Feb 17, 2021		
ANGELA E. NOBLE CLERK U.S. DIST. CT. S. D. OF FLA, - MIA		

#### **ORDER OF SUSPENSION**

On January 7, 2021, the Supreme Court of Florida entered an Order of Suspension, suspending Barbara Jean Throne from the practice of law. *See The Florida Bar v. Throne*, No. SC20-537, 2021 WL 58830 (Fla. Jan. 7, 2021) (ECF No. 1). The suspension was predicated on an uncontested report of the referee. The Clerk attempted to serve attorney Throne 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. (ECF No. 2). Service at Throne's court record address was signed for by Nancy Hammel Smith without notation as to "agent." Service at the attorney's Florida Bar address was returned – "Return to Sender – Not Deliverable as Addressed – Unable to Forward."

Rule 8(a) 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, requires that "[a]n attorney admitted to practice before this Court shall, upon being subjected to reprimand, discipline, suspension, or disbarment by a court of any state . . . promptly inform the Clerk of the Court of such action." Rule 8(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." Even if service is contested, Local Rule 11.1(g) imposes upon the members of this Bar an obligation to provide updated contact information to the Clerk within seven days of any change, and that "the failure to

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comply shall not constitute grounds for relief from deadlines imposed by Rule or by the Court." This obligation to maintain current contact information is reiterated in the Court's CM/ECF Administrative Procedures Manual, section 3D, compliance with which is mandated by Local Rule 5.1. Given this background, pursuant to Rule 8(a) and (d), Local Rule 11.1(g) 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 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 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 and Florida Bar addresses.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this <u>17th</u> day of February, 2021.

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 Barbara Jean Throne