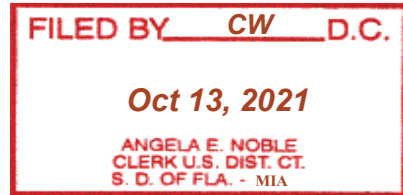


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2021-85  
CASE NO. 21-MC-22842

IN RE: STEFAN E. MCHARDY  
FLORIDA BAR # 90021

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**ORDER OF SUSPENSION**

On August 3, 2021, the Supreme Court of Florida entered an Order of Suspension, suspending Stefan E. McHardy from the practice of law. *See The Florida Bar v. McHardy*, No. SC21-803, 2021 WL 3362111 (Fla. Aug. 3, 2021) [ECF No. 1]. The suspension was predicated on The Florida Bar's Petition for Contempt and Order to Show Cause and the attorney's failure to file a response to the Supreme Court of Florida's Order to Show Cause.

The Clerk attempted to serve Mr. McHardy 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. (*See* [ECF No. 2]). Service at Mr. McHardy's court record address was returned – "Return to Sender—Not Deliverable as Addressed—Unable to Forward." Service at Mr. McHardy's Florida Bar address was returned – "Return to Sender—Attempted—Not Known—Unable to Forward." A second attempt was made to both addresses on September 9, 2021. Service at Mr. McHardy's court record address was returned – "Return to Sender—Attempted—Not Known—Unable to Forward." Service at Mr. McHardy's Florida Bar address was returned – "Return to Sender—Not Deliverable as Addressed—Unable to Forward."

Subsequent to this Court's Order to Show Cause, the Florida Supreme Court issued an order disbaring Mr. McHardy. *See The Florida Bar v. McHardy*, No. SC21-619, 2021 WL 4465770 (Fla. Sept. 30, 2021).

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.” *Id.* (alterations added). Rule 8(d) provides in 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.” *Id.* 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 comply shall not constitute grounds for relief from deadlines imposed by Rule or by the Court.” *Id.* This obligation to maintain current contact information is reiterated in the Court’s CM/ECF Administrative Procedures Manual, section 3D, compliance which is mandated by Local Rule 5.1.


Given this background, pursuant to Rules 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.” (alteration added)),

**IT IS ORDERED** that Mr. McHardy is suspended from practice in this Court, effective immediately. Mr. McHardy may not resume the practice of law before this Court until reinstated by order of the 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 the Clerk of Court shall attempt to serve by certified mail a copy of this Order of Suspension upon Mr. McHardy at his court record and Florida Bar

addresses. Mr. McHardy shall forthwith advise the Clerk of Court of all pending cases before the Court in which he is counsel or co-counsel of record.

**DONE AND ORDERED** in Miami, Florida, this 13th day of October, 2021.

  
CECILIA M. ALTONAGA  
**CHIEF UNITED STATES DISTRICT JUDGE**

c: All South Florida Eleventh Circuit Court of Appeals Judges  
All Southern District of Florida District Judges, Bankruptcy Judges, and 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  
Stefan E. McHardy