

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2022-109  
CASE NO. 22-MC-23331

IN RE: WILLIAM PENA WELLS  
FLORIDA BAR # 759848

---

FILED BY CW D.C.

**Dec 22, 2022**

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - MIA

**ORDER OF SUSPENSION**

On October 13, 2022, the Supreme Court of Florida entered an Order of Suspension, suspending William Pena Wells from the practice of law. *See The Florida Bar v. Wells*, No. SC21-1472, 2022 WL 7205138 (Fla. Oct. 13, 2022) [ECF No. 1]. The suspension was predicated on an uncontested report of the referee.

The Clerk attempted to serve Mr. Wells 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. Wells' court record address was returned with the notation, "Return to Sender—Attempted – Not Known—Unable to Forward." Service at Mr. Wells' Florida Bar address was attempted, but no return receipt was received. Second attempts were made at both addresses on November 17, 2022, and no return receipts have been received.

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 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; “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 with which is mandated by Local Rule 5.1.

Given this background, under 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. Wells is suspended from practice in this Court, effective immediately. Mr. Wells 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 Mr. Wells 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. Wells at his court record and Florida Bar addresses. Mr. Wells 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** at Miami, Florida, this 22nd day of December, 2022.

  
\_\_\_\_\_  
CECILIA M. ALTONAGA  
CHIEF UNITED STATES DISTRICT JUDGE

Copies furnished as follows: See attached

- 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
- William Pena Wells