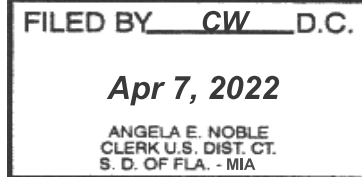


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2022-35
CASE NO. 22-MC-20632

IN RE: WENDELL TERRY LOCKE
FLORIDA BAR # 119260



ORDER OF SUSPENSION

On March 1, 2022, the Supreme Court of Florida entered an Order of Suspension, suspending Wendell Terry Locke from the practice of law. *See The Florida Bar v. Locke*, No. SC19-1913, 2022 WL 601123 (Fla. Mar. 1, 2022) [ECF No. 1]. The Clerk served Mr. Locke by certified mail with an Order to Show Cause why this Court should not impose the same discipline, accompanied by the Order of Suspension. (*See* [ECF No. 2]). Mr. Locke filed a Response to Order to Show Cause [ECF No. 3] and an Amended Response to Order to Show Cause [ECF No. 4].

According to Mr. Locke “the need for this Court to impose the identical discipline as that of the Supreme Court of Florida . . . is not warranted” because “he does not intend to practice law as an attorney before this Court or any other state or federal court during or after the suspension period unless reinstated to practice law as an attorney by the Supreme Court of Florida[,]” and he “has been admitted to practice before the courts in the Southern District of Florida since on or about January 16, 1998, without incident.” (Am. Resp. 3-4 (alterations added)). Additionally, Mr. Locke states his disagreement with the findings of the referee that were adopted by the Supreme Court of Florida and claims the Supreme Court of Florida failed to address his fundamental error arguments. (*See id.* 1-2).

Rule 8(e) 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, lists

the grounds under which an attorney may contest reciprocal discipline.¹ Mr. Locke does not reference or make any argument under these grounds. Even if Mr. Locke's arguments did fall within one of the stated grounds, they are conclusory and undeveloped, insufficient to oppose reciprocal discipline or warrant referral to the Ad Hoc Committee on Attorney Admissions, Peer Review, and Attorney Grievance for further investigation.

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.* Given this background, under Rules 8(a) and (d), 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. Locke is suspended from practice in this Court, effective immediately. Mr. Locke may not resume the practice of law before this Court until reinstated. *See* Rule 12(a). The Clerk of Court shall strike this attorney from the roll of attorneys eligible to


¹ A final adjudication in another court that an attorney has been guilty of misconduct shall establish conclusively the misconduct for purpose of a disciplinary proceeding in this Court, unless the attorney demonstrates and the Court is satisfied that upon the face of the record upon which the discipline in another jurisdiction is predicated it clearly appears that:

- (1) the procedure in that other jurisdiction was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or
- (2) there was such an infirmity of proof establishing misconduct as to give rise to the clear conviction that this Court could not, consistent with its duty, accept as final the conclusion on that subject; or
- (3) the imposition of the same discipline by this Court would result in grave injustice; or
- (4) the misconduct established is deemed by this Court to warrant substantially different discipline.

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. Locke at his court record and Florida Bar address. Mr. Locke 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 7th day of April, 2022.



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 11th Circuit
Florida Bar and National Lawyer Regulatory Data Bank
Library
Wendell Terry Locke