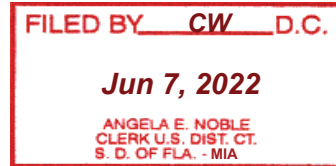


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2022-46
CASE # 22-MC-20903

IN RE: PHILLIP TIMOTHY HOWARD
FLORIDA BAR # 655325



ORDER OF DISBARMENT

On March 24, 2022, the Supreme Court of Florida entered an Order of Disbarment, disbarring Phillip Timothy Howard from the practice of law. *See The Florida Bar v. Howard*, Nos. SC19-488 & SC19-1570, 2022 WL 872176 (Fla. March 24, 2022) [ECF No. 1]. The disbarment was predicated on an uncontested amended report of the referee.

The Clerk attempted to serve Mr. Howard 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 Disbarment. (*See* [ECF No. 2]). Service at Mr. Howard's court record address was returned with the notation, "Return to Sender—Attempted—Not Known—Unable to Forward." Service at Mr. Howard's Florida Bar address was returned with the notation, "Return to Sender—Attempted—Not Known—Unable to Forward." Second attempts were made at both addresses on May 5, 2022, with the same results.

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

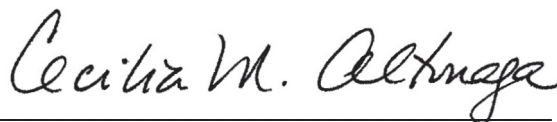
contested, Local Rule 11.1(g) imposes upon the members of this Bar an obligation to provide updated contact information to the Clerk within seven days of any change; furthermore, “the failure to comply shall not constitute grounds for relief from deadlines imposed by Rule or by the Court.” *Id.* This 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, 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. Howard is disbarred from practice in this Court, effective immediately. Mr. Howard 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 Mr. Howard 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 his 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 Disbarment upon Mr. Howard at his court record and Florida Bar addresses. Mr. Howard 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 7th day of June, 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 11th Circuit
Florida Bar and National Lawyer Regulatory Data Bank
Library
Phillip Timothy Howard