

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2022-70  
CASE NO. 22-MC-22797

IN RE: JAMES PRESCOTT CURRY  
FLORIDA BAR # 10346

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FILED BY CW D.C.

Sep 7, 2022

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

**ORDER FOR PLACEMENT ON THE INACTIVE LIST**

On September 1, 2022, the Supreme Court of Florida entered an Order classifying attorney James Prescott Curry as an inactive member pursuant to Rule 3-7.13 of the Rules Regulating The Florida Bar. *See The Florida Bar v. Curry*, No. SC22-1002, 2022 WL 3973628 (Fla. Sept. 1, 2022) [ECF No. 1]. That Order was predicated on a Joint Petition for Placement on Inactive List for incapacity not related to misconduct. (*See* [ECF No. 2]).

Rule 11 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, provides that “[w]hen it comes to the attention of the Court that an attorney has been judicially declared incompetent, involuntarily committed to a mental hospital, placed on inactive status or resigned, or has been suspended by another jurisdiction due to such mental incompetence or incapacity or on the basis of physical infirmity or illness, the Court, upon proper proof of the fact, shall enter an order immediately placing the attorney on the Court’s inactive list until further order of the Court.” *Id.* (alteration added). Under circumstances involving incapacity, service of an order to show cause is unnecessary, and the attorney may be immediately placed on the inactive list.

Given this background, under Rule 11 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. Curry is placed on the Court’s inactive list, effective immediately. Mr. Curry may not resume the practice of law before this Court until further order of this Court. *See* Rule 11. 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 for Placement on the Inactive List upon Mr. Curry at his court record and Florida Bar address. Mr. Curry 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 7<sup>th</sup> day of September, 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 11<sup>th</sup> Circuit  
Florida Bar and National Lawyer Regulatory Data Bank  
Library  
James Prescott Curry