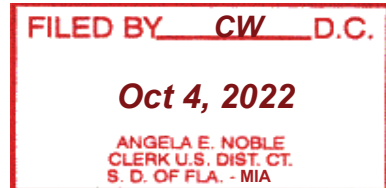


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2022-80  
CASE NO. 22-MC-22709

IN RE: ERIKA LYNN MULLER  
FLORIDA BAR # 56433

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**ORDER OF DISBARMENT**

On August 25, 2022, the Supreme Court of Florida entered an Order of Disbarment, disbarring Erika Lynn Muller from the practice of law. *See The Florida Bar v. Muller*, No. SC22-221, 2022 WL 3650193 (Fla. Aug. 25, 2022) [ECF No. 1]. The disbarment was predicated on an uncontested report of the referee.

The Clerk attempted to serve Ms. Muller 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 Ms. Muller's Florida Bar address was signed for by "Duncan" as agent. In a Memorandum filed with the Court, attorney Peter D. Weinstein indicated that he received the Court's Order to Show Cause addressed to Ms. Muller's court record address; acknowledged Ms. Muller's prior employment with Cole, Scott & Kissane, P.A.; provided an updated address for Ms. Muller; and stated that he forwarded his Memorandum along with the Court's Order to Show Cause to Ms. Muller's updated address. (*See* [ECF No. 3]).

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 the Manual is mandated by Local Rule 5.1.


Given this background, and 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 Ms. Muller is disbarred from practice in this Court, effective immediately. Ms. Muller 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 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 Ms. Muller shall advise the Clerk of Court of all pending cases before this Court in which she is counsel or co-counsel of record.

**IT IS FURTHER ORDERED** that the Clerk of Court shall attempt to serve by certified mail a copy of this Order of Disbarment upon Ms. Muller at the address provided by Mr. Weinstein.

**DONE AND ORDERED** at Miami, Florida, this 4th day of October, 2022.

  
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**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  
Erika Lynn Muller