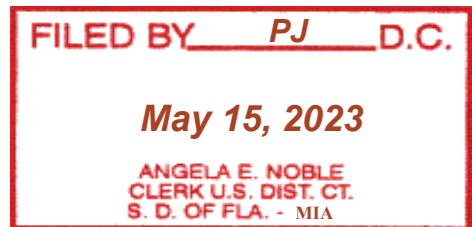


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2023-35  
CASE NO. 23-MC-21340

IN RE: KELLY ELIZABETH ELKINS  
FLORIDA BAR # 469963

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**ORDER OF SUSPENSION**

On April 6, 2023, the Supreme Court of Florida entered an Order of Suspension, suspending Kelly Elizabeth Elkins from the practice of law. *See The Florida Bar v. Elkins*, No. SC2023-0399, 2023 WL 2822132 (Fla. April 6, 2023) [ECF No. 1]. The suspension was predicated on The Florida Bar’s Petition for Emergency Suspension.

The Clerk attempted to serve Ms. Elkins 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 Ms. Elkins’s court record address was returned with the notation, “Return to Sender—Not Deliverable as Address—Unable to Forward.” The return receipt for service at Ms. Elkins’s Florida Bar address was signed by Randall Finnestad without a notation as to “agent.”

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 any other court of the United States . . . 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 which is mandated by Local Rule 5.1.

Given this background, 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. Elkins is suspended from practice in this Court, effective immediately. Ms. Elkins 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 Ms. Elkins 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 Ms. Elkins at her court record and Florida Bar addresses. Ms. Elkins shall forthwith advise the Clerk of Court of all pending cases before the Court in which she is counsel or co-counsel of record.

**DONE AND ORDERED** at Miami, Florida, this 15th day of May, 2023.

  
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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
- Kelly Elizabeth Elkins