

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2023-74  
CASE NO. 23-MC-22721

IN RE: LEONEL R. BENITEZ  
FLORIDA BAR # 830992

FILED BY    tah    D.C.

Oct 2, 2023

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

ORDER OF SUSPENSION

On July 20, 2023, the Supreme Court of Florida entered an Order of Suspension, suspending Leonel R. Benitez from the practice of law. *See The Florida Bar v. Benitez*, No. SC2022-0649, 2023 WL 4636797 (Fla. July 20, 2023) [ECF No. 1]. The suspension was predicated on an uncontested amended report of the referee.

The Clerk attempted to serve Mr. Benitez 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]). A return receipt was not received. A second attempt was made on August 30, 2023. Following the second attempt, a return receipt was received but without a signature.

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, states 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 . . . shall 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; “[t]he failure


to comply shall not constitute grounds for relief from deadlines imposed by Rule or by the Court.” *Id.* (alteration added). This obligation to maintain current contact information is reiterated in the Court’s CM/ECF Administrative Procedures Manual, section 3D, compliance with which is mandated by Local Rule 5.1.

Given this background, pursuant to Rules 8(a) and (d) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys; 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; citation omitted)),

**IT IS ORDERED** that Mr. Benitez is suspended from practice in this Court, effective immediately. Mr. Benitez may not resume the practice of law before this Court until reinstated by order of the Court. *See* Rule 12(a) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys. The Clerk of Court shall strike Mr. Benitez 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 Mr. Benitez shall advise the Clerk of Court of all pending cases before this Court in which he is counsel or co-counsel of record. The Clerk of Court shall attempt to serve by certified mail a copy of this Order of Suspension upon Mr. Benitez at his court record and Florida Bar address.

**DONE AND ORDERED** at Miami, Florida, this 2nd day of October, 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  
Leonel R. Benitez