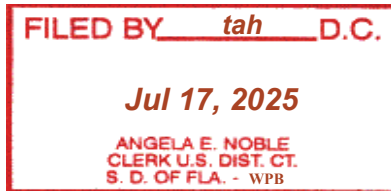


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-MC-22144-ALTONAGA
ADMINISTRATIVE ORDER 2025-51

IN RE: JERRY D. HAYNES
FLORIDA BAR # 935751



ORDER OF SUSPENSION

On May 8, 2025, the Supreme Court of Florida suspended Jerry D. Haynes from the practice of law for 30 months as reciprocal discipline for a suspension imposed by the United States Patent and Trademark Office (USPTO). (*See generally* Suspension Order). The court’s decision was based on a Report [ECF No. 6] in which a referee reviewed two USPTO final suspension orders. (*See generally* Suspension Order [ECF No. 1]; Report). On May 12, 2025, the Clerk of this Court served Mr. Haynes with an Order to Show Cause [ECF No. 2], directing him to explain why the Court should not impose reciprocal discipline. (*See id.* 1).¹

Mr. Haynes filed a Reply [ECF No. 5-1] on June 27, 2025, arguing that the USPTO’s 30-month suspension order was “unfair” and “unjust” (*id.* ¶ 1) because the proceedings that led to the suspension should never have been initiated (*see id.* ¶ 7). Mr. Haynes cites a letter the USPTO issued in 2011 concluding his conduct “did not warrant sanctionable discipline” (*id.* ¶ 2); an affidavit from a client suggesting the USPTO’s investigation was random (*see id.* ¶ 5); and Mr. Haynes’s compliance with disclosure requirements that the 2011 USPTO letter directed him to observe (*id.* ¶ 6; *see also generally* Report).

¹ The Court uses the pagination generated by the electronic CM/ECF database, which appears in the headers of all court filings.

CASE NO. 25-22144-MC-ALTONAGA

Under Rule 8(e) of the Southern District of Florida Local Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys (“Attorney Rules”), a final adjudication of misconduct in another court conclusively establishes the misconduct for purpose of a disciplinary proceeding in this Court — unless the attorney demonstrates, based on the face of the record from the other court, that

(1) the procedure in that other jurisdiction was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; or (2) there was such an infirmity of proof establishing misconduct as to give rise to the clear conviction that this Court could not, consistent with its duty, accept as final the conclusion on that subject; or (3) the imposition of the same discipline by this Court would result in grave injustice; or (4) the misconduct established is deemed by this Court to warrant substantially different discipline.

Id.

Mr. Haynes relies on Attorney Rule 8(e)(3), arguing that imposing reciprocal discipline would result in grave injustice. (*See* Reply 2). Yet rather than contest the USPTO’s or referee’s factual findings, Mr. Haynes challenges only the USPTO’s decision to initiate disciplinary proceedings (*see generally* Reply) — leaving the findings of misconduct undisturbed.² According to the referee’s Report, the USPTO disciplinary orders were based on stipulated facts (*see* Report 4), which constitute “conclusive proof” of Mr. Haynes’s misconduct (*id* 2). Mr. Haynes also admitted he had “failed to self-report his USPTO discipline to the bar[.]” (*Id.* 13 (alteration added)). The Report concludes Mr. Haynes violated Rules 3-7.2(m)(1), 4-1.3, 4-1.4, and 4-1.8(f) of the Rules Regulating the Florida Bar (*see id.* 13–14); as well as several USPTO rules (*see id.* 2, 8–10, 12).

² In any event, Mr. Haynes fails to persuade that the initiation of proceedings was unjust. The USPTO letter he cites put Mr. Haynes on notice that he “should not construe the decision to forego disciplinary action as an indication that [his] conduct was beyond reproach” and cautioned that the letter “serves as a warning that future similar conduct may cause disciplinary proceedings to be brought against [him].” (March 2, 2011 Letter [ECF No. 5-2] 10-11 (alterations added)).


CASE NO. 25-22144-MC-ALTONAGA

Attorney Rule 8(d) provides that after considering a response to an Order to Show Cause, “the Court may impose . . . identical discipline or may impose any other sanction the Court may deem appropriate.” *Id.* (alteration added). Because Mr. Haynes does not persuade that reciprocal discipline would pose grave injustice, under Attorney Rule 8(d) and the Court’s inherent authority to oversee membership in its bar and safeguard the public interest, *see Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991) (citation omitted), it is

ORDERED as follows:

1. Mr. Haynes is suspended from the practice of law in the U.S. District Court for the Southern District of Florida, effective immediately. He may not resume practice before this Court unless and until reinstated by court order. *See* Att’y Rule 12(a).
2. Within **14 days** of receipt of this Order, Mr. Haynes shall notify the Clerk of Court of any active cases in which he appears as counsel or co-counsel of record in this District.
3. The Clerk is directed to **STRIKE** Mr. Haynes from the roll of attorneys authorized to practice before this Court and to immediately revoke his CM/ECF credentials.
4. The Clerk shall promptly attempt service of this Order via certified mail to Mr. Haynes’s court record address and any addresses on file with The Florida Bar.

DONE AND ORDERED in Miami, Florida, this 17th day of July, 2025.



CECILIA M. ALTONAGA
CHIEF UNITED STATES DISTRICT JUDGE

cc: All South Florida Eleventh Circuit Court of Appeals Judges
All Southern District of Florida District Judges, Bankruptcy Judges, and Magistrate Judges
United States Attorney

CASE NO. 25-21905-MC-ALTONAGA

Circuit Executive
Federal Public Defender
Clerks of Court (SDFL District and Bankruptcy) and Eleventh Circuit
Northern District of Georgia
Florida Bar and National Lawyer Regulatory Data Bank
Library
Jerry D. Haynes