

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2016-31

In re: **JOSEPH BERNSTEIN**
Florida Bar # 228397

FILED by <u>ks</u> D.C. ELECTRONIC
July 11, 2016
STEVEN M. LARIMORE CLERK U.S. DIST. CT. S. D. OF FLA. · MIAMI

ORDER OF DISBARMENT

The Supreme Court of Florida entered an Order of Suspension dated March 14, 2016, suspending Joseph Bernstein from the practice of law in response to The Florida Bar’s Petition for Emergency Suspension. *See The Florida Bar v. Bernstein*, No. SC16-403, 2016 WL 949706 (Fla. March 14, 2016). On April 14, 2016, Bernstein filed an uncontested Petition for Disciplinary Revocation with Leave to Reapply for Readmission with the Florida Supreme Court. On June 9, 2016, the Florida Supreme Court granted the petition for disciplinary revocation, *see In re Petition for Disciplinary Revocation of Joseph Bernstein*, No. SC16-660, 2016 WL 3215611 (Fla. June 9, 2016), and dismissed The Florida Bar’s case against Bernstein, *see The Florida Bar v. Bernstein*, No. SC 16-403, 2016 WL 3213583 (Fla. June 9, 2016).

Disciplinary revocation is tantamount to disbarment pursuant to Rules 3-7.12 and 3-5.1(g) of the Rules Regulating The Florida Bar. Rule 6(b) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, provides that “[a]n attorney . . . who shall be . . . disbarred on consent or resign from the bar of any other court . . . while an investigation into allegations of misconduct is pending shall . . . cease to be permitted to practice before this Court and be stricken from the roll of attorneys admitted to practice before this Court.” Disbarment on consent makes service of an Order to Show cause unnecessary and the attorney may be immediately disbarred. Pursuant to Rule 6(b) 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.”),

IT IS ORDERED that the above named attorney be disbarred from practice in this Court, effective immediately. The attorney may not resume the practice of law before this Court until reinstated by order of this Court. *See* Rule 9(a) of the Rules Governing Attorney Discipline.

IT IS FURTHER ORDERED that 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 by this Court that said attorney advise the Clerk of Court of all pending cases before this Court in which he is counsel or co-counsel of record.

IT IS FURTHER ORDERED by this Court that the Clerk of Court attempt to serve by certified mail a copy of this Order of Suspension upon the attorney at his court record address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 11th day of July, 2016.



K. MICHAEL MOORE
CHIEF UNITED STATES DISTRICT JUDGE

- c: All Southern District Judges
All Southern District Bankruptcy Judges
All Southern District Magistrate Judges
United States Attorney
Circuit Executive
Federal Public Defender
Clerks of Court – District, Bankruptcy and 11th Circuit
Florida Bar and National Lawyer Regulatory Data Bank
Library
Joseph Bernstein