

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR

Case No. SC06-1281

IN RE:
PETITION FOR REINSTATEMENT
of
RANDALL JOEL ETHERIDGE

TFB File No. 2007-00,001(1A) NRE

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REPORT OF REFEREE ON PETITION FOR REINSTATEMENT

I. SUMMARY OF PROCEEDINGS: Pursuant to the undersigned being duly appointed as Referee to conduct reinstatement proceedings herein according to the Rules Regulating The Florida Bar, the parties entered into a Joint Stipulation to Reinstatement. The Joint Stipulation agrees to conduct a summary procedure in this matter pursuant to R. Regulating Fla. Bar 3-7.10(g)(4). The pleadings, which are forwarded to the Supreme Court of Florida with this report, constitute the record in this case.

The following attorneys appeared as counsel for the parties:

For The Florida Bar - Olivia Paiva Klein, Bar Counsel
For Petitioner – Randall Joel Etheridge, pro se

II. STIPULATION FOR SUMMARY PROCEEDINGS: Petitioner and The Florida Bar stipulate to the issue of reinstatement, including the payment of costs, as permitted by R. Regulating Fla. Bar 3-7.10(m), and would state:

(A) That The Florida Bar completed its investigation of the Petition for

Reinstatement of Randall Joel Etheridge, and is unable to discover any clear and convincing evidence upon which a denial of reinstatement could be based;

- (B) That no evidence has been provided to The Florida Bar that would substantiate a denial of reinstatement to Petitioner;
- (C) That the Designated Reviewer and Staff Counsel have approved the Joint Stipulation for Summary Proceeding for reinstatement and the Affidavit of Costs to be paid by Petitioner; and
- (D) That all of the elements for reinstatement as required under the decision of the Supreme Court of Florida in In Re: Petition of Wolf, 257 So.2d 547 (Fla. 1972) have been met, which include: (1) strict compliance with the specific conditions of the disciplinary order, such as payment of costs as was required in this instance; (2) evidence of unimpeachable character and moral standing in the community; (3) clear evidence of a good reputation for professional ability; (4) evidence of a lack of malice and ill feeling by the petitioner toward those who by duty were compelled to bring about the disciplinary proceeding; (5) personal assurances, supported by corroborating evidence; revealing a sense of repentance, as well as a desire and intention of the petitioner, to conduct himself in an exemplary fashion in the future, and (6) restitution paid to all clients per the court' s prior order.

III. RECOMMENDATION AS TO WHETHER OR NOT PETITIONER SHOULD

BE REINSTATED:

After completion of discovery and independent verification of the information presented by the Petition for Reinstatement, The Florida Bar's counsel having been unable to discover any evidence upon which a denial of reinstatement may be based, and no other person having come forward with contrary evidence in response to The Florida Bar's publications, and, in further consideration of The Florida Bar's counsel having gained the approval of the Designated Reviewer and Staff Counsel to The Florida Bar, the Joint Stipulation of the parties is hereby accepted. The referee therefore recommends reinstatement of Petitioner to The Florida Bar.

IV. PERSONAL HISTORY AND PAST DISCIPLINARY RECORD:

Age: 49

Dated admitted to The Florida Bar: May 14, 1986

Prior Discipline:

Admonishment for Minor Misconduct by grievance committee
with 3-years probation - TFB File No.1994-00,002(1A)

90-day suspension with three years probation--Case No. SC00-658

Felony suspension effective September 16, 2003-Case No. SC03-1563
3-year suspension effective nunc pro tunc from September 16, 2003-
Case Nos. SC04-656, SC04-655, SC04-1710, SC04-1711,
SC04-1716, SC04-1769, SC04-1779, SC04-1784, SC04-1865,
SC04-1909.

V. STATEMENT OF COSTS AND MANNER IN WHICH COSTS SHOULD BE TAXED

I find the following costs were reasonably incurred by The Florida Bar:

Administrative Costs, pursuant to to R. Regulating Fla. Bar 3-7.10(m)	\$ 1,250.00
Investigative Costs and Expenses	1,277.68
Advertising Expenses	959.94
Less Cost Deposit	<u>-500.00</u>
TOTAL	<u>\$ 2,987.62</u>

It is recommended that such costs be charged to Petitioner and that interest at the statutory rate shall accrue and that should such cost judgment not be satisfied within thirty days of said judgment becoming final, Petitioner shall be deemed delinquent and ineligible to practice law pursuant to R. Regulating Fla. Bar 1-3.6, unless otherwise deferred by the Board of Governors of The Florida Bar.

Dated this _____ day of _____, 2007.

JUDGE GLENN L. HESS
REFEREE
Bay County Courthouse
300 East 4th Street
Panama City, Florida 32401

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Report of Referee on Petition for Reinstatement has been forwarded to THOMAS A. HALL, Clerk of the Supreme Court of Florida, 500 South Duval Street, Tallahassee, Florida 32301, and that copies were mailed by regular U.S. Mail to KENNETH LAWRENCE MARVIN, Staff Counsel, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, OLIVIA PAIVA KLEIN, Bar Counsel, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300; and Respondent. RANDALL JOEL ETHERIDGE, at his current address of 822 North Baylen Street, Pensacola, Florida 32501, on this _____

day of _____, 2007.

JUDGE GLENN L. HESS
REFEREE