

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

IN RE: PETITION FOR REINSTATEMENT
OF KEVIN JOHN TAYLOR
Petitioner

Supreme Court Case
No. SC08-2184

The Florida Bar File No.
2009-50,244(17F)FRE

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REPORT OF REFEREE

I. SUMMARY OF PROCEEDINGS:

The undersigned was appointed to preside in the above disciplinary action by Order of the Supreme Court of Florida, dated November 24, 2008, and by the subsequent Order of the Chief Judge of the Fifteenth Judicial Circuit dated December 4, 2008.

On or about November 12, 2008, Kevin John Taylor served his petition for reinstatement to membership in good standing in The Florida Bar. The Petitioner, pursuant to a Supreme Court order dated September 14, 2006, was suspended from the practice of law for three years, effective nunc pro tunc December 2, 2005. See Supreme Court Case Number SC06-293.

The pleadings and all other papers filed with the undersigned, which are forwarded to the Court herewith, constitute the entire record for this case. Based upon the Petition for Reinstatement submitted by Kevin John Taylor, the stipulations made by counsel for the respective parties and by the testimony

presented to me, and after due deliberation, I have determined to recommend that petitioner be reinstated to the practice of law in Florida forthwith.

During the course of these proceedings, the petitioner was represented by Kevin P. Tynan, Esquire, and The Florida Bar was represented by Juan Carlos Arias, Bar Counsel.

II. FINDINGS OF FACT AS TO EACH CRITERIA FOR ESTABLISHMENT OF REINSTATEMENT:

After considering all of the pleadings and evidence before me, as well as the Stipulation submitted by the parties, I find as follows:

1. The parties are in agreement that had a full evidentiary hearing been held the Petitioner would have been able to establish the following as required by R. Regulating Fla. Bar 3-7.10(f) and relevant case law:

A. strict compliance with the specific conditions of any disciplinary, judicial, administrative, or other order, where applicable;

B. unimpeachable character and moral standing in the community;

C. good reputation for professional ability where applicable;

D. lack of malice and ill feeling by the petitioner toward those who brought about the disciplinary proceedings;

E. personal assurances, supported by corroborating evidence, of a desire and intention to conduct one's self in an exemplary fashion in the future;

F. restitution of funds or property, where applicable; and

G. positive action showing rehabilitation by such things as a person's occupation, religion or community and civil service.

2. The Florida Bar has completed its discovery and other due diligence in which each and every item of The Florida Bar's standard reinstatement procedures were followed and examined, inclusive of a review of the Petitioner's finances and the placement of appropriate advertisements to seek information on the Petitioner's potential reinstatement. After its investigation the Bar has found no adverse evidence to the Petitioner's reinstatement.

3. Petitioner is in compliance with all dues, costs and CLER requirements.

4. Proof of the Petitioner's rehabilitation included the fact that he completed in excess of six hundred (600) hours of community service, is continuing to perform the community service hours, and was honored as the "Outstanding New Volunteer for 2006" by the Broward Partnership for the Homeless, Inc. (hereinafter "BPHI"). See Composite Exhibit A to the Petition for Reinstatement which included the Affidavit of Donna Lee Minott, Volunteer Coordinator for BPHI and the referenced award. The Petitioner also provides service to the Children's Aid Club. Further, the Petitioner's civil rights have been restored and has fully complied with all the terms and conditions of his Florida Lawyer's Assistance, Inc. ("FLA") Contract and is under contract with FLA

through January 4, 2011.

5. Based upon the foregoing, I find that petitioner has met the criteria set forth in the applicable R. Regulating Fla. Bar.

III. RECOMMENDATIONS AS TO WHETHER OR NOT PETITIONER SHOULD BE REINSTATED TO THE PRACTICE OF LAW IN FLORIDA

Having carefully reviewed the party's stipulation, I find that petitioner has established his fitness to practice law in Florida.

I recommend that petitioner's Petition for Reinstatement be granted upon the conditions that he pay all costs incurred with respect to this Petition for Reinstatement.

IV. PERSONAL HISTORY AND PAST DISCIPLINARY RECORD

Age: 51

Date Admitted to the Bar: September 26, 1996

Prior Discipline: The petitioner seeks reinstatement from a three year suspension that was predicated upon a conviction of a felony DUI charge.

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

I find the following reasonable costs have been incurred by The Florida Bar:

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| 1. Administrative Costs, (pursuant to Rule 3-7.10(m)(1)(I), Rules of Discipline) | \$ | 1,250.00 |
| 2. Court Reporter Costs | \$ | -0- |
| 3. Bar Counsel Travel Costs | \$ | -0- |

4.	Investigative Cost and Expenses	\$	87.50
5.	Staff Auditor	\$	67.50
6.	Daily Business Review	\$	159.58
7.	Comprehensive, Criminal and Bankruptcy Search	\$	165.00
8.	Witness Mileage	\$	-0-
	SUBTOTAL	\$	1,729.58
	Less Cost Deposit		<u>-500.00</u>
	TOTAL COST DUE	\$	<u>1,229.58</u>

It is apparent that other costs have or may be incurred. It is recommended that all such costs and expenses, together with the foregoing itemized costs, be charged to petitioner, and that interest at the statutory rate shall accrue and be payable beginning 30 days after the judgment of this case becomes final, unless otherwise deferred by the Board of Governors of The Florida Bar.

DATED this 17th day of December, 2008.

/s/

 HON. PETER D. BLANC, REFEREE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Report of Referee has been furnished by regular U.S. mail to The Honorable Thomas D. Hall, Clerk, The Supreme Court of Florida, 500 South Duval Street, Tallahassee, Florida 32399-1927; and true copies furnished to Kenneth Marvin, Staff Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300; Juan Carlos Arias, Bar Counsel, 5900 N. Andrews Ave., Suite 900, Ft. Lauderdale, 33309; and Kevin P. Tynan, Esquire, attorney for petitioner, 8142 N. University Drive, Tamarac, Florida 33321, on this 17th day of December, 2008.

/s/ _____
HON. PETER D. BLANC, REFEREE