

**IN THE SUPREME COURT OF FLORIDA
(Before a Referee)**

THE FLORIDA BAR,

Petitioner,

Case No. SC09-1127

v.

TFB No. 2009-90,155(OSC)

CHARLES WEAVER COPE, IV,

Respondent.

_____/

REPORT OF REFEREE

I. Summary of Proceedings: The Florida Bar Filed a Petition for Contempt and Order to Show Cause for Respondent's failure to comply with the probationary requirements imposed by this Court's Order in SC08-574, TFB File Nos. 2004-11,053(12A), 2005-10,756(12A), and 2008-11,198(12A).

The undersigned was duly appointed as referee to conduct show cause proceedings herein according to the Rules Regulating The Florida Bar. A case management conference was held on February 5, 2010. Respondent signed a Guilty Plea and Consent Judgment on May 5, 2010. Any pleadings, notices, motions, orders, transcripts, and exhibits are forwarded to The Supreme Court of Florida with this report and constitute the record in this case.

The following attorneys appeared as counsel for the parties:

For The Florida Bar: Jodi Anderson Thompson

For The Respondent: Pro Se

II. Findings of Fact as to Each Item of Misconduct With Which the Respondent Is Charged: After considering all the pleadings and evidence before me, pertinent portions of which are commented on below, I find that

the facts set forth in the Guilty Plea and Consent Judgment are admitted. A copy of the Guilty Plea and Consent Judgment is attached hereto and incorporated herein.

III. Recommendations as to Whether or Not the Respondent Should Be Found in Contempt: I make the following recommendations as to guilt or innocence: I recommend Respondent be found in contempt of the Court's order as set forth in the Guilty Plea and Consent Judgment.

IV. Recommendation as to Disciplinary Measures to Be Applied: Pursuant to the Guilty Plea and Consent Judgment, I recommend that Respondent be suspended from the practice of law for a period of 91 days. I further recommend that Respondent pay the delinquent FLA, Inc. registration fee in the amount of \$250.00 and the monitoring fee arrearages in the amount of \$900.00 for a total of \$1,150.00 to The Florida Bar. As a condition precedent of reinstatement, respondent shall undergo a substance abuse evaluation by an approved FLA, Inc. provider, enter into a rehabilitative contract with FLA, Inc., if recommended, and receive a recommendation from FLA, Inc. in support of his reinstatement.

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 (Rule 3-7.6(q)(1)(I))	\$1,250.00
Court Reporter Fees	<u>170.00</u>
TOTAL COSTS:	<u>\$1,420.00</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 the respondent and that interest at the statutory rate shall accrue and be payable beginning 30 days after the judgment in this case becomes final unless a waiver is granted by the Board of Governors of The Florida Bar.

Dated this _____ day of May, 2010.

Honorable Kimberly Fernandez
Referee

Original to:

The Honorable Thomas D. Hall, Clerk, the Supreme Court of Florida, 500 South Duval Street, Tallahassee, Florida 32399-1925

Copies to:

Jodi Anderson Thompson, Bar Counsel, The Florida Bar, 4200 George J. Bean Parkway Suite 2580, Tampa, Florida 33607-1496

Charles Weaver Cope, IV, Respondent, Pro se, at his record Bar address of 1188 Mandalay Point, Clearwater Beach, Florida 33767-1042 and Respondent's alternate address at 4246 Lakecrest Drive, Apt. 2A, Kalamazoo, Michigan 49048

Kenneth Lawrence Marvin, Staff Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300