

Supreme Court of Florida

FRIDAY, JUNE 24, 2011

CASE NO(S): SC09-412 & SC09-758
Lower Tribunal No(s): 2008-51,143(15A),
2009-50,985(15A)FFC

THE FLORIDA BAR

vs. JOSEPH R. DE LUCCA

Complainant(s)

Respondent(s)

The report of the referee submitted in Case No. SC09-758 is approved. Respondent Joseph R. De Lucca is hereby disbarred. As Respondent is currently suspended, the disbarment is effective immediately. Respondent shall fully comply with Rule Regulating the Florida Bar 3-5.1(g).

Upon consideration of the report of the referee in Case No. SC09-412, the recommendations as to guilt and award of costs are approved. The recommended sanction is disapproved as it is too lenient and it is not supported by case law or the Florida Standards for Imposing Lawyer Sanctions. See Fla. Bar v. Temmer, 753 So. 2d 555, 558 (Fla. 1999). As Respondent is disbarred per consolidated Case No. SC09-758, it is unnecessary to further consider the appropriate sanction for his misconduct in Case No. SC09-412.

Respondent is directed to comply with all other terms and conditions of the reports.

Prior to petitioning for reinstatement, Respondent shall reimburse The Florida Bar's Clients' Security Fund in the amount of \$11,166.67 which was paid to Santa Greer as a result of Respondent's misconduct. The reimbursement to the Clients' Security Fund of all monies paid out as a result of Respondent's misconduct shall be a condition precedent to his eligibility to apply for readmission to The Florida Bar.

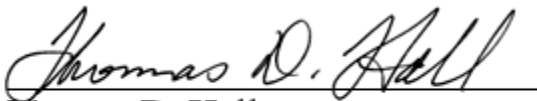
Judgment is entered for The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, for recovery of costs from Joseph R. De Lucca in the amount of \$6,316.58, for which sum let execution issue.

Not final until time expires to file motion for rehearing, and if filed, determined. The filing of a motion for rehearing shall not alter the effective date of this disbarment.

CANADY, C.J., and PARIENTE, LEWIS, QUINCE, POLSTON, LABARGA, and PERRY, JJ., concur.

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



bhp

Served:

KENNETH LAWRENCE MARVIN
ALAN ANTHONY PASCAL
JOSEPH R. DE LUCCA
HON. RONALD JOEL ROTHSCHILD, JUDGE