

Supreme Court of Florida

WEDNESDAY, JUNE 22, 2011

CASE NO.: SC09-922

Lower Tribunal No(s): 2009-71,123(11H-OSC)

THE FLORIDA BAR

vs. PETER MARCELLUS
CAPUA

Petitioner(s)

Respondent(s)

The Court approves the referee's findings of fact and recommendations as to guilt, but disapproves the referee's recommended discipline. Instead, the Court extends by two years the period of time during which respondent will not be permitted to seek readmission to The Florida Bar. Respondent was disbarred on November 20, 2008, effective nunc pro tunc January 3, 2008. He will not be permitted to seek readmission until January 3, 2015.

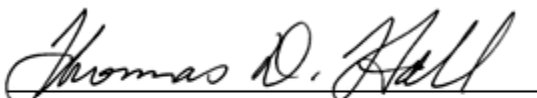
Judgment is entered for The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, for recovery of costs from Peter Marcellus Capua in the amount of \$1,420.00, for which sum let execution issue.

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:

HON. NUSHIN G. SAYFIE, JUDGE
KENNETH LAWRENCE MARVIN

PETER MARCELLUS CAPUA
JENNIFER R. FALCONE MOORE