

Supreme Court of Florida

TUESDAY, JUNE 7, 2011

CASE NO.: SC09-775

Lower Tribunal No(s): 2009-70,010(11G)

THE FLORIDA BAR

vs. DANIEL ANTONIO BENITO

Complainant(s)

Respondent(s)

Upon consideration of Respondent's Motion for Reconsideration, the motion is denied. Respondent's "Motion for 90 Day Extension of Time to File Brief Due to Failure to Serve Court Order" is also denied.

In light of the denial of respondent's motion for extension of time, respondent's failure to timely file an initial brief on the merits and transcripts in accordance with Rules Regulating the Florida Bar 3-7.7(c)(3) and 3-7.7(c)(2), and this Court's order dated December 9, 2010, respondent's petition for review is hereby dismissed on the Court's own motion.

The uncontested report of the referee is approved and respondent is permanently disbarred. Respondent is currently suspended; therefore this permanent disbarment is effective immediately. Respondent shall fully comply with Rule Regulating the Florida Bar 3-5.1(g).

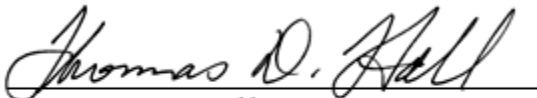
Judgment is entered for The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, for recovery of costs from Daniel Antonio Benito in the amount of \$18,333.57, for which sum let execution issue.

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
JENNIFER R. FALCONE MOORE
DANIEL ANTONIO BENITO
HON. MIGNA SANCHEZ-LLORENS, JUDGE