

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2011-59

IN RE: ROBERT ANDREW SMOLEY
Florida Bar #253774

FILED by  D.C.

AUG 08 2011

STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. - MIAMI

ORDER OF SUSPENSION

The Supreme Court of Florida has entered an Order of Suspension dated May 3, 2011, suspending Robert Andrew Smoley from the practice of law. *See The Florida Bar v. Cornell*, 54 So. 3d 974 (Fla. 2011). The suspension was predicated on a Notice of Determination or Judgment of Guilt, which disclosed that Smoley has been adjudicated guilty of two felony offenses by the United States District Court in the Northern District of California. *See United States of America v. Robert Smoley*, Case No. 10CR00619-001.

Rule 4(a) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, provides that “[u]pon the filing with this Court of a certified copy of a judgment of conviction demonstrating that any attorney admitted to practice before the Court has been convicted in any court of the United States . . . of any serious crime . . . the Court shall enter an order immediately suspending that attorney.” A “serious crime” has been defined by Rule 4(b) to “include any felony.”

Pursuant to Rule 4(a) and (b), and the Court’s inherent power to regulate membership in its bar for the protection of the public interest, *see Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991) (“[A] federal court has the power to control admission to its bar and to discipline attorneys who appear before it.”),

IT IS ORDERED that said attorney be suspended from practice in this Court, effective immediately. The Clerk of Court shall strike this attorney from the roll of attorneys eligible to practice in the United States District Court for the Southern District of Florida, and shall also immediately revoke the attorney’s CM/ECF password.

IT IS FURTHER ORDERED by this Court that said attorney advise the Clerk of Court of all pending cases before this Court in which he is counsel or co-counsel of record.

IT IS FURTHER ORDERED by this Court that the Clerk of Court attempt to serve by certified mail a copy of this Order of Suspension upon the attorney at his court record address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 6th day of August, 2011.


FEDERICO A. MORENO
CHIEF UNITED STATES DISTRICT JUDGE

Copies furnished as follows:

- c: Honorable Joel F. Dubina, Chief Judge, Eleventh Circuit
- All Miami Eleventh Circuit Court of Appeals Judges
- All Southern District Judges
- All Southern District Magistrate Judges
- United States Attorney
- Circuit Executive
- Federal Public Defender
- Clerk of Court
- Clerk of Court, 11th Circuit
- National Lawyer Regulatory Data Bank
- Florida Bar
- Attorney Admissions Clerk
- Library
- Robert Andrew Smoley