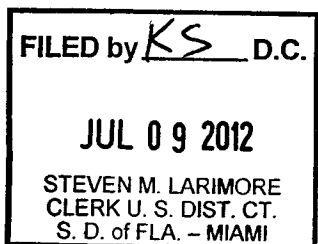


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2012-56

IN RE:        **NICOLAS JESUS GUTIERREZ, JR.**  
                 **Florida Bar # 796786**

---



**ORDER OF SUSPENSION**

The Supreme Court of Florida has entered an Order of Suspension dated May 22, 2012, suspending Nicolas Jesus Gutierrez, Jr. from the practice of law for one year. *See The Florida Bar v. Gutierrez, Jr.*, No. SC11-1265, 2012 WL 1893472 (Fla. May 22, 2012). That Order of Suspension was predicated on an amended uncontested report of the referee, which was based upon a Conditional Guilty Plea and Consent Judgment for Discipline between the attorney and The Florida Bar. Rule 6(b) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida, provides that “[a]n attorney . . . who shall be suspended . . . on consent . . . from the bar of any state . . . while an investigation into allegations of misconduct is pending shall . . . cease to be permitted to practice before this Court and be stricken from the roll of attorneys admitted to practice before this Court.” Under these circumstances involving suspension on consent, service of an Order to Show Cause is unnecessary and the attorney may be immediately suspended. Pursuant to Rule 6(b) and the inherent authority of this Court to oversee officers admitted to membership in its bar, *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 for ninety-one (91) days, 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 5<sup>th</sup> day of July, 2012.

  
\_\_\_\_\_  
FEDERICO A. MORENO  
CHIEF UNITED STATES DISTRICT JUDGE

- 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, 11<sup>th</sup> Circuit  
National Lawyer Regulatory Data Bank  
Florida Bar  
Attorney Admissions Clerk  
Library  
Nicolas Jesus Gutierrez, Jr.