

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2012-73

IN RE: MIKEL DAVID JONES  
Florida Bar # 187690

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FILED by KS D.C.

SEP 11 2012

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 April 16, 2012, suspending Mikel David Jones from the practice of law. *See The Florida Bar v. Jones*, 88 So.3d 150 (Fla. 2012). That Order of Suspension was predicated on the Notice of Determination or Judgment of Guilt following the felony conviction of Jones of conspiracy, money laundering, mail fraud, and wire fraud in the United States District Court for the Eastern District of Pennsylvania. *See U.S. v. Jones*, Case No. 11-261 (E.D. Pa. Nov. 7, 2011). The Clerk attempted to serve attorney Jones by certified mail with an Order to Show Cause why this Court should not impose the same discipline, accompanied by the Supreme Court of Florida's Order of Suspension. Service at Jones' court record address was signed by R. Gordon and his Florida Bar's address was signed for by Max Samakow.

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 as herein defined, the Court shall enter an order immediately suspending that attorney." A "serious crime" has been defined by Rule 4(b) to "include any felony" that involves "fraud" or "conspiracy." Having been convicted of conspiracy and various forms of fraud, service of an Order to Show Cause was unnecessary and Jones could have been immediately suspended by the Court. Furthermore, Rule 5(a) requires that "[a]n attorney admitted to practice before this Court shall, upon being subjected to suspension or disbarment . . . promptly inform the Clerk of the Court of such action." Rule 5(d) provides in pertinent part that

after expiration of the time for submitting a response to an Order to Show Cause, “the Court may impose the identical discipline or may impose any other sanction the Court may deem appropriate.” Jones failed to notify this Court of his convictions as required by this rule. Finally, Local Rule 11.1(g) imposes upon the members of this Bar an obligation to provide updated contact information to the Clerk within seven days of any change, and that “the failure to comply shall not constitute grounds for relief from deadlines imposed by Rule or by the Court.” This obligation to maintain current contact information is reiterated in the Court’s CM/ECF Administrative Procedures Manual, section 3D, compliance with which is mandated by Local Rule 5.1. Therefore, although Jones apparently did not sign for the Order to Show Cause here, he would have no basis to contest service since it was sent to his court record address.

Given this background, pursuant to Rule 4(a) and (b), Rule 5(a) and (d), Local Rule 11.1(g), 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 11 day of September, 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  
Mikel David Jones