

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2016-11

IN RE NICHOLAS THEODORE STEFFENS
Florida Bar # 10873

FILED by <u>ks</u> D.C. ELECTRONIC
February 2, 2016
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 September 18, 2015, suspending Nicholas Theodore Steffens from the practice of law. *See The Florida Bar v. Steffens*, 177 So.3d 1275 (Fla. 2015). The suspension was predicated on The Florida Bar’s Petition for Emergency Suspension. The Clerk attempted to serve attorney Steffens 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 Steffens’ court record address was returned – “Return to Sender – Not Deliverable as Addressed – Unable to Forward” and service at his Florida Bar address was signed with an illegible signature and without the notation as to “agent” or “addressee.”

Rule 5(a) of the Rules Governing Attorney Discipline, Local Rules of the United States District Court for the Southern District of Florida [hereinafter Discipline Rules], 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.” Even if service is contested, 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.

As an additional ground for action, on September 28, 2015, attorney Steffens filed a Petition for Disciplinary Revocation with leave to seek readmission after five years, which was granted by the Florida Supreme Court on December 23, 2015. *See In re: Petition for Disciplinary Revocation of Nicholas Steffens*, No. SC15-1771, 2015 WL 9463637 (Fla. Dec. 23, 2015). Disciplinary revocation is tantamount to disbarment pursuant to Rules 3-7.12 and 3-5.1(g) of the Rules Regulating The Florida Bar. Rule 6(b) of the Discipline Rules provides that “[a]n attorney . . . who shall be . . . disbarred on consent or resign from the bar of any other court . . . 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 disbarment on consent, service of an order to show cause is unnecessary and the attorney may be immediately disbarred.

Given this background, pursuant to Discipline Rules 5(a) and (d) and 6(b), 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.”),

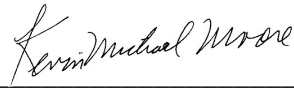
IT IS ORDERED that said attorney be suspended from practice in this Court, effective immediately. The attorney may not resume the practice of law before this Court until reinstated by order of this Court. *See* Rule 9(a). The Clerk of Court shall strike this attorney from the roll of attorneys eligible 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 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 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 2nd day of February, 2016.



Kevin Michael Moore
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K. MICHAEL MOORE
CHIEF UNITED STATES DISTRICT JUDGE

- c: All Southern District Judges
All Southern District Bankruptcy Judges
All Southern District Magistrate Judges
United States Attorney
Circuit Executive
Federal Public Defender
Clerks of Court – District, Bankruptcy and 11th Circuit
Florida Bar and National Lawyer Regulatory Data Bank
Library
Nicholas Theodore Steffens