

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2016-2

IN RE: ROBERT EMMETT MALONEY, JR.
FLORIDA BAR # 849601

FILED by <u>ks</u> D.C. ELECTRONIC
January 5, 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 October 2, 2015, suspending Robert Emmett Maloney, Jr. from the practice of law. *See The Florida Bar v. Maloney*, No. SC15-1786, 2015 WL 5783197 (Fla. Oct 2, 2015). The suspension was predicated on a Notice of Determination or Judgment of Guilt, which disclosed that Mr. Maloney pled guilty to bank fraud, a felony, before the United States District Court, Northern District of Georgia, which adjudicated him guilty on March 6, 2013. *See United States of America v. Maloney, Jr.*, Case No. 1:11-CR-0121-03-SCJ (N.D. Ga. 2013). On October 26, 2015, Maloney filed a Disbarment on Consent with The Florida Bar, which is pending before the Supreme Court of Florida.

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 Rules 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 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 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 and Florida Bar address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 5th day of January, 2016.

 Kevin Michael Moore
2016.01.05 11:22:47 -05'00'
K. MICHAEL MOORE
CHIEF UNITED STATES DISTRICT JUDGE

cc: 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
Robert Emmett Maloney, Jr.