

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2019-71

IN RE: JOHN BRUCE THOMPSON
FLORIDA BAR # 231665

FILED BY CW D.C.

Sep 18, 2019

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIA

ORDER

THIS CAUSE came before the Court upon John Bruce Thompson's Motion to Vacate Order of Reciprocal Disbarment by Administrative Order 2009-33. On September 11, 2009, Thompson was reciprocally disbarred from practice in this Court. *See* ("Order of Reciprocal Disbarment") Admin. Order 2009-33. The reciprocal discipline was based upon a Florida Supreme Court order of permanent disbarment. *See The Florida Bar v. Thompson*, 994 So.2d 306 (Fla. 2008). Now, Thompson requests that this Court vacate its Order of Reciprocal Disbarment arguing that his procedural and substantive due process rights were violated. In the alternative, Thompson requests that this Court enter an Order directing the Ad Hoc Committee for Attorney Admissions, Peer Review, and Attorney Grievance to conduct a full evidentiary hearing.

This Court's Order of Reciprocal Disbarment specifically noted that "Mr. Thompson failed to comply with his obligation to submit the state court record, as he was required to do when this Court issued its Rule to Show Cause." Despite Thompson's failure to comply with this Court's Show Cause Order, Thompson now claims this Court violated his due process rights. Thompson cites to the Eleventh Circuit's opinion in *In re Rubinstein* in support of his Motion, but fails to acknowledge that the reversal of this Court's disciplinary order in that case was limited to additional charges made beyond those initially raised in the order to show cause. *In re Rubinstein*, 756 F. App'x 892 (11th Cir. 2018). The Eleventh Circuit found that "Rubinstein had a full opportunity to contest" the reciprocal discipline proceeding and "[o]n remand, then, the Southern District is free to enter a new order imposing reciprocal discipline without any further process."

Id. At 897. Likewise, no new charges were raised against Thompson beyond those stated in the Order to Show Cause to support the Order of Reciprocal Disbarment. To now claim lack of due process when Thompson failed to comply with this Court's own review procedures is self-defeating.

Further, Thompson is disbarred by The Florida Bar and not eligible to practice law in Florida. This prevents Thompson from petitioning for reinstatement pursuant to Rule 12 of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys ("Attorney Rules"), Local Rules of the United States District Court for the Southern District of Florida. Rule 12(a) specifically requires that "[a]n attorney seeking reinstatement after reciprocal disbarment or suspension must meet the same criteria as an attorney seeking original admission under Rule 2, in that the attorney must first seek and obtain reinstatement by The Florida Bar."

Given this background, and the Court being fully advised of the matter, it is ORDERED that Thompson's Motion to Vacate Order of Reciprocal Disbarment by Administrative Order 2009-33 is DENIED.

DONE AND ORDERED in Chambers in Miami, Miami-Dade County, Florida, this 17th day of September, 2019.

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K. MICHAEL MOORE
UNITED STATES CHIEF DISTRICT JUDGE

c: John Bruce Thompson