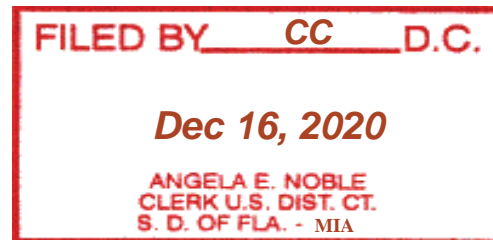


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2020-100  
CASE # 20-MC-24055

IN RE: TRACY BELINDA NEWMARK  
FLORIDA BAR # 856886

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**ORDER OF SUSPENSION**

On October 2, 2020, the Supreme Court of Florida entered an Order of Suspension, suspending Tracy Belinda Newmark from the practice of law. *See The Florida Bar v. Newmark*, Nos. SC18-1525, SC18-1980, 2020 WL 5870523 (Fla. Oct. 2, 2020) (ECF No. 1). The suspension was predicated on an Amended Report of Referee. The Florida Supreme Court approved the referee’s findings of fact and recommendation as to guilt but disapproved the recommendation as to discipline and instead imposed consecutive suspensions of forty-five (45) days and six (6) months. The Clerk attempted to serve attorney Newmark 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. (ECF No. 2). Service at Newmark’s court record address was returned – “Return to Sender – Attempted – Not Known – Unable to Forward” and no return receipt was received for service at her Florida Bar address. A second attempt was made to both addresses on November 12, 2020, with the same result.

By email dated November 2, 2020, Newmark notified the Court of the suspension by the Florida Supreme Court and that she has “no objection to being suspended from practicing before this Court for the same time frame set forth” in the Florida suspension order. (ECF No. 3). That same day Newmark mailed a Response to Order to Show Cause, again indicating that she “has **no**

**objection** to the suggestion set forth in the Order to Show Cause that the undersigned be imposed with the identical discipline by this Honorable Court” and informing the Court that she “has no current business before this Honorable Court and is not counsel of record in any open case before this Honorable Court.” (ECF No. 4) (emphasis in original).

Rule 8(a) of the Rules Governing the Admission, Practice, Peer Review, and Discipline of Attorneys, Local Rules of the United States District Court for the Southern District of Florida, requires that “[a]n attorney admitted to practice before this Court shall, upon being subjected to reprimand, discipline, suspension, or disbarment by a court of any state . . . promptly inform the Clerk of the Court of such action.” Rule 8(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. Given this background, pursuant to Rule 8(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 attorney may not resume the practice of law before this Court until reinstated by order of this Court. *See* Rule 12(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 the Clerk of Court attempt to serve by certified mail a copy of this Order of Suspension upon the attorney at her court record and Florida Bar addresses.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 16th day of December, 2020.



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K. MICHAEL MOORE  
CHIEF UNITED STATES DISTRICT JUDGE

c: All South Florida Eleventh Circuit Court of Appeals Judges  
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 11<sup>th</sup> Circuit  
Florida Bar and National Lawyer Regulatory Data Bank  
Library  
Tracy Belinda Newmark