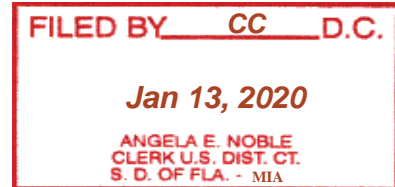


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2020-4
CASE # 19-MC-24868

In re: **BRIAN RUSSELL CLAEYS**
FLORIDA BAR # 85788



ORDER OF SUSPENSION

On November 21, 2019, the Supreme Court of Florida entered an Order of Suspension, suspending Brian Russell Claeys from the practice of law. *See The Florida Bar v. Claeys*, No. SC19-1740, 2019 WL 6221132 (Fla. Nov. 21, 2019) (ECF No. 1). The suspension was predicated on The Florida Bar’s Petition for Contempt and Order to Show Cause and the attorney’s failure to file a response to the Supreme Court of Florida’s Order to Show Cause. The Clerk attempted to serve attorney Claeys 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 Claeys’ court record address was returned – “Return to Sender—Undeliverable as Addressed—Unable to Forward.” Service at Claeys’ Florida Bar address was attempted but no return receipt was received. By letter dated December 23, 2019, Claeys informed the Court of his suspension by the Florida Supreme Court. (ECF No. 3).

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.” Given this background, pursuant to Rule 8(a)

and (d) 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 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 Florida Bar address.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 13th day of January, 2020.



K. MICHAEL MOORE

UNITED STATES CHIEF 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 11th Circuit
Florida Bar and National Lawyer Regulatory Data Bank
Library
Brian Russell Claeys