

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant,

Case No. 68,597
(TFB No. 09A85107)

vs.

RONALD W. BROOKS,

Respondent.

FILED
SID J. WHITE

DEC 1 1986

CLERK, SUPREME COURT

By _____
Deputy Clerk

REPORT OF REFEREE

I. Summary of Proceedings: Pursuant to the undersigned being duly appointed as referee to conduct disciplinary proceedings herein according to Article XI of the Integration Rule of The Florida Bar, hearing was held on August 8, 1986. The pleadings, notices, motions, orders, transcripts and exhibits, all of which are forwarded to The Supreme Court of Florida with this report, constitute the record in this case.

The following attorneys appeared as counsel for the parties:

For Florida Bar: John B. Root, Jr., Esquire

For Respondent: Respondent

II. Findings of Fact: After considering all the pleadings and evidence before me, I find Respondent has admitted he is guilty of the acts of misconduct alleged in the complaint, a copy of which is attached hereto.

III. Recommendations as to Whether or Not Respondent Should be Found Guilty or Not Guilty: As to the single count of the complaint, I recommend that Respondent be found guilty and specifically that he is found guilty of violating the following disciplinary rules of The Florida Bar Code of Professional Responsibility:

a. Disciplinary Rule 1-102(a)(4), for deceit and misrepresentation in that he knowingly and wilfully represented to his client the false status of her case, causing her to believe that the case was proceeding in due course when it had actually been dismissed by the court in which the case had been pending.

b. Disciplinary Rule 6-101(a)(3) for neglect of a legal matter entrusted to him by allowing his client's case to be dismissed.

c. Disciplinary Rule 7-101(a)(1) in that he failed to seek the lawful objectives of his client zealously.

IV. Recommendation As to Disciplinary Measures: I recommend that the Respondent receive a public reprimand and be suspended for a period of five (5) days with automatic reinstatement at end of period of suspension as provided in Rule 11.410(4).

V. Personal History: After finding of guilty and prior to recommending discipline to be recommended pursuant to Rule 11.06(9)(a)(4), I considered the following personal history and prior disciplinary record of the Respondent, to wit:

Age: 40

Marital Status: Divorced

Date Admitted to Bar: 1973

Prior disciplinary convictions and disciplinary measures imposed therein: None

Other personal data: The Respondent, being a sole practitioner with office in Winter Park, Florida, primarily involved in family and criminal matters. During the period involving the violations, the Respondent was involved in his personal divorce proceedings which apparently caused him emotional stress.

VI. Statement of Costs: I find the following costs were reasonably incurred by The Florida Bar:

A. Grievance Committee Level Costs:

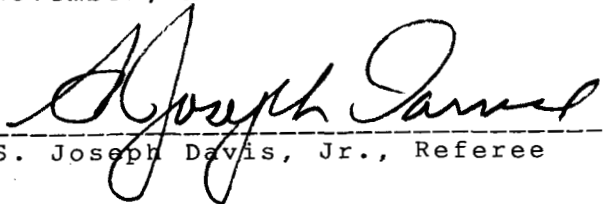
1. Administrative Costs	\$150.00
2. Transcript Costs	94.40
3. Investigator's Expenses	88.50

B. Referee Level Costs:

1. Administrative Costs	\$150.00
2. Transcript Costs	98.25

TOTAL COSTS	\$581.15
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DATED this 18th day of November, A.D. 1986.



S. Joseph Davis, Jr., Referee

Copies to:

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