

Supreme Court of Florida

ORIGINAL

No. 78,395

THE FLORIDA BAR, Complainant,

vs.

WILLIAM A. CALVO, III, Respondent.

[July 2, 1992]

PER CURIAM.

William A. Calvo, III, seeks review of an order limiting issues in this disciplinary proceeding to the appropriate discipline pursuant to rule 3-4.6 of the Rules Regulating The Florida Bar. We have jurisdiction. Art. V, § 15, Fla. Const.

Disciplinary proceedings were instituted against Calvo after the Securities and Exchange Commission (SEC) issued an order and opinion suspending Calvo from appearing or practicing

before the SEC for a period of two years. Prior to suspending Calvo, the SEC successfully sought a civil injunction in federal district court enjoining Calvo from violating various anti-fraud provisions of the federal securities laws.

We recently addressed the question of whether an order of suspension issued by the SEC is a final adjudication of discipline by a foreign jurisdiction under rule 3-4.6, holding that it is not. The Fla. Bar v. Teppes, No. 76,468 (Fla. May 28, 1992). Accordingly, we reject the referee's order limiting the issues in this proceeding and remand for a full evidentiary hearing.

It is so ordered.

BARKETT, C.J. and OVERTON, McDONALD, SHAW, GRIMES, KOGAN and HARDING, JJ., concur.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED.

Original Proceeding - The Florida Bar

John F. Harkness, Jr., Executive Director and John T. Berry,
Staff Counsel, Tallahassee, Florida; and Stephen C. Whalen, Bar
Counsel, Fort Lauderdale, Florida,

for Complainant

William A. Calvo, III, in pro se, Belleview, Florida,

for Respondent