

## SUPREME COURT DISCIPLINES 27 ATTORNEYS

FOR IMMEDIATE RELEASE

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### **Summaries of orders issued Feb. 18 – April 7, 2014**

The Florida Bar, the state's guardian for the integrity of the legal profession, announces that the Florida Supreme Court in recent court orders disciplined 27 attorneys; disbarred five and revoking the license of one. Seventeen attorneys were suspended and four attorneys were publicly reprimanded. Four attorneys received more than one form of discipline. Two were placed on probation and three were ordered to pay restitution.

As an official arm of the Florida Supreme Court, The Florida Bar and its Department of Lawyer Regulation are charged with administering a statewide disciplinary system to enforce Supreme Court rules of professional conduct for the 98,000-plus lawyers admitted to practice law in Florida. Key discipline case files that are public record are posted to attorneys' individual online Florida Bar profiles. [To view discipline documents, follow these steps.](#) Additional information on the discipline system and how to file a complaint are available at [www.floridabar.org/attorneydiscipline](http://www.floridabar.org/attorneydiscipline).

Court orders are not final until time expires to file a rehearing motion and, if filed, determined. The filing of such a motion does not alter the effective date of the discipline. Disbarred lawyers may not re-apply for admission for five years. They are required to go through an extensive process that rejects many who apply. It includes a rigorous background check and retaking the bar exam. Historically, less than 5 percent of disbarred lawyers seek readmission.

**Shawn Micheal Brannagan**, 2120 Mariner Blvd., **Spring Hill**, **disbarred** effective immediately, following a March 13 court order. (Admitted to practice: 1996) Brannagan knowingly and intentionally misappropriated client funds. In one instance, he testified that the \$3,000 he took was a loan from a client. The client denied it. In another instance, Brannagan misappropriated \$2,100 from his trust account and placed \$2,000 of those funds in his personal bank account to address his personal expenses. (SC13-1621)

**Richard Bernard Celler**, 2257 Lynx Ave., **Davie**, to be **publicly reprimanded** by publication in the Southern Reporter, following a March 13 court order. (Admitted to practice: 1999) In a case in the U.S. District Court for the Southern District of Florida, Celler was disqualified from representing plaintiffs because of misconduct. Celler engaged in communication with an officer of the opposing party. He also engaged in conduct that disparaged an opposing counsel and adversely affected the attorney's relationship with his client. (Case No. SFC14-276)

**Arthur P. Cohen**, 2220 Altamont Ave., **Fort Myers**, **suspended** for 30 days, effective April 25, and must extend his existing contract with Florida Lawyers Assistance, Inc., for one

year, following an April 7 court order. (Admitted to practice: 1984) Cohen was suspended in June 2011 and he failed to comply with his FLA contract. He consumed and tested positive for alcohol, failed to submit to random tests and failed to pay all of his monthly monitoring fees. (Case No. SC13-308)

**Bruce Edward Committe**, 401 N. 14<sup>th</sup> Ave., **Pensacola, suspended** for three years, effective retroactive to Aug. 26, 2013, following an April 3 court order. (Admitted to practice: 1989) Committee filed a frivolous and non-meritorious complaint in the circuit court; he knowingly failed to comply with the court's order directing him to pay a portion of the defendant's attorney's fees; he made a baseless allegation to a U.S. Attorney in an effort to intimidate the defendant; he also gave false testimony to the referee during the final disciplinary hearing. (Case No. SC11-468)

**Timothy Daniel**, 39 Beechwood Drive, **Ormond Beach, suspended** until further order, following an April 4 court order. (Admitted to practice: 1987) According to a petition for emergency suspension, Daniel appeared to be causing great public harm by intentionally misappropriating client funds. (Case No. SC14-602)

**Kathleen M. P. Davis**, P.O. Box 542796, **Greenacres, suspended** until further order, following an April 3 court order. (Admitted to practice: 1995) According to a petition for emergency suspension, Davis appeared to be causing great public harm by misappropriating client funds. A Bar investigation found that Davis made numerous material misrepresentations to The Florida Bar and commingled personal and trust fund accounts. (Case No. SC14-581)

**Thomas P. Fox**, 3615 S. Dale Mabry Highway, **Tampa, suspended** for 91 days, effective 30 days from a March 21 court order. (Admitted to practice: 1976) Fox was found in contempt for failing to comply with the terms of a Jan. 19, 2011, suspension order that also placed him on probation for three years. Fox had agreed to enter into a contract with Florida Lawyers Assistance Inc. related to alcohol abuse. (Case No. SC13-2073)

**John Anthony Garcia**, 1615 Forum Place, Suite 4B, **West Palm Beach, permanently disbarred** effective immediately, following a March 20 court order. (Admitted to practice: 1988) Garcia was found in contempt for failing to comply with a March 4, 2008, court order. He was disbarred but continued to practice law. (Case No. SC13-1496)

**Harry Orrin Hendry**, P.O. Box 1509, **Fort Myers, to be publicly reprimanded** following a March 27 court order. (Admitted to practice: 1977) Hendry was retained to represent a client in a probate case. Hendry failed to make corrections as indicated by the client, and he failed to communicate with the client regarding the status of the case. After the case was dismissed, Hendry was terminated by the client. (Case No. SC13-2053)

**Denise Tamara Herman**, 5801 Ulmerton Road, Suite 100, **Clearwater, to be publicly reprimanded** following a March 20 court order. Further, Herman was found liable in a Pinellas County court case and shall satisfy that monetary judgment within a year from the date of the order. (Admitted to practice: 2006) In September 2008, Herman was retained to represent a client in an ejectment action. Three months later, while the case was still open, Herman borrowed \$10,000 from the client but failed to disclose the terms of the transaction

in writing. She also failed to advise the client to seek independent legal counsel. In January 2009, the client asked Herman to repay the loan in full. (Case No. SC12-626)

**Charles Edward Hobbs II**, 820 E. Park Ave., Suite F200, **Tallahassee, suspended** for 30 days, effective thirty days from a March 20 court order. (Admitted to practice: 2000) In three separate cases, Hobbs failed to diligently represent clients after he was retained. He failed to communicate with clients and he made misrepresentations to clients, The Florida Bar and the Grievance Committee. He also failed to timely respond to Bar inquiries. (Case Nos. SC13-309 & SC13-1686)

**Daniel Eric Jonas**, P.O. Box 415107, **Miami, suspended** for 60 days, effective thirty days from a March 13 court order. (Admitted to practice: 1980) Jonas was paid \$1,500 to prosecute a lawsuit. In April 2009, Jonas told the client the matter was scheduled for mediation. Attempts to communicate with Jonas after that time were futile. In April 2010, the lawsuit was dismissed for lack of prosecution. The client subsequently filed a grievance against Jonas. He failed to respond to either of the Bar's two letters. (Case Nos. SC13-1277 & SC13-1288)

**Joseph Ramon Kruk III**, P.O. Box 2491, **Lakeland, disbarred** effective immediately, following a March 13 court order. (Admitted to practice: 2003) Kruk engaged in misconduct in three client matters, including misappropriating client funds, incompetence, lack of diligence, failing to maintain adequate client communication and engaging in conduct prejudicial to the administration of justice. He also failed to participate in his own disciplinary proceeding or respond to investigative inquiries from the Bar. At the time of his disbarment, Kruk was suspended following the Bar's filing of a petition for contempt for failing to respond to the Bar. (Case No. SC13-1069)

**Jeffrey Michael Lasman**, P.O. Box 1907, **Brandon, suspended** until further order, effective 30 days from a March 6 court order. (Admitted to practice: 1999) Lasman was found in contempt for failure to respond to multiple grievances and avoiding service of a subpoena for trust account records. (Case No. SC13-2428)

**Marc Scott Levin**, P.O. Box 1817, **New York, N.Y., suspended** for 90 days, effective immediately, following a March 27 court order. (Admitted to practice: 1987) Levin was arrested in January 2013 for attempting to buy cocaine from an undercover narcotics officer. He pleaded no contest and was sentenced in court to 18 months probation, a psychiatric evaluation, fines and court costs. (Case No. SC13-2089)

**Anett Lopez**, 6175 N.W. 153<sup>rd</sup> St., Suite 400, **Miami Lakes, suspended** for 10 days, effective 30 days from a March 27 court order. (Admitted to practice: 2005) Lopez's trust accounts were overdrawn because she made disbursements against the deposit of an insurance settlement before the deposit was collected. In another instance, Lopez failed to work diligently on a child custody case and it was dismissed for lack of prosecution. She also failed to keep the client reasonably informed about the status of the case. (Case No. SC13-1386)

**Charles Denis Miner**, 5120 Curry Ford Road, **Orlando, suspended** until further order, following an April 3 court order. (Admitted to practice: 1979) According to a petition for

emergency suspension, Miner appeared to be causing great public harm. An audit of Miner's real estate trust account revealed shortages ranging from 50 cents to more than \$218,114. As a result, he used the trust balances held for other matters to cover these shortages. (Case No. SC14-557)

**Daniel Craig Minkes**, 9765 S.W. 184th St., **Miami**, **suspended** for 91 days, effective 30 days from an April 1 court order. (Admitted to practice: 1988) Minkes represented a client in two criminal matters, but he failed to appear for trial twice and both times asked a public defender to cover for him. He was subsequently terminated by the client. Minkes failed to respond to the Bar's initial letters and he failed to attend the Grievance Committee's evidentiary hearing. In a second matter, Minkes was found guilty of one misdemeanor in court for obstruction and resisting arrest without violence. In a third matter, Minkes was arrested for disorderly intoxication at a police department. These underlying criminal charges are still pending. (Case Nos. SC13-542 & SC13-2070)

**Richard Martin Nelson**, 1625 N. Commerce Parkway, Suite 225, **Weston**. The Supreme Court granted Nelson's request for **addisciplinary revocation**, effective immediately, following an April 7 court order, with leave to seek readmission after five years. (Admitted to practice: 1986) Disciplinary revocation is tantamount to disbarment. Nelson was charged with a crime unrelated to the representation of a client. (Case No. SC14-323)

**William L. Rogers**, 2875 N.E. 191<sup>st</sup> St., Ph-4, **Aventura**, **suspended** for 18 months, effective retroactive to Aug. 1, 2013, following an April 7 court order. Further, upon reinstatement, Rogers is placed on **probation** for 18 months. (Admitted to practice: 1972) According to a petition for emergency suspension, Rogers appeared to be causing great public harm. Following trial before a referee, Rogers was found guilty of misuse of client funds, the result of negligent rather than intentional conduct. Rogers was also found guilty of commingling. (Case No. SC13-1040)

**Jeffrey Allan Rosenberg**, 5255 N. Federal Highway, Floor 3, **Boca Raton**, **suspended** for 90 days, effective 30 days from an April 7 court order. Further, Rosenberg shall pay **restitution** of \$42,000 to three clients. (Admitted to practice: 2004) Rosenberg failed to properly supervise non-lawyers who provided paralegal services for the law firm's loan modification clients. The non-lawyers, unbeknownst to Rosenberg, fraudulently solicited and received additional funds from three complainants at locations other than Rosenberg's law firm. (Case No. SC13-923)

**Laurie Schrier**, 562 E. Woolbright Road, No. 217, **Boynton Beach**, **disbarred** effective immediately, following a March 20, court order. (Admitted to practice: 1988) Schrier was found in contempt for non-compliance, practicing law while suspended and failure to respond to an official Bar inquiry. (Case No. SC14-24)

**Paul Christopher Schryver**, 1546 13<sup>th</sup> Ave., N., **Naples**, to receive a **public reprimand** administered by the Board of Governors, following a March 27 court order. (Admitted to practice: 1974) Schryver was involved in an arrangement with a company that provided financial services to debtors seeking to refinance their mortgages. The company made representations about Schryver's services to one of its customers and gave legal advice of which Schryver was not aware. Schryver failed to supervise the company. (Case

No. SC13-2088)

**Thomas Joel Sherwood**, P.O. Box 5512, **Sun City Center**, **suspended** for 91 days, effective 30 days from a March 27 court order, and ordered to pay **restitution** of more than \$31,000 to 14 clients. (Admitted to practice: 1976) Twenty-five complaints were filed against Sherwood. From 2009 through 2012, Sherwood was in business with a non-lawyer providing loan modifications and debt resolutions. The business subsequently folded into Sherwood's law firm. Several non-lawyer employees provided services for clients who were advised that Sherwood was performing the services. In many cases, Sherwood failed to obtain loan modification results for clients, failed to keep them informed and failed to pursue their loan modifications. He also improperly split fees with non-lawyer employees and he failed to properly supervise them. He also engaged in the unlicensed practice of law by representing clients outside of Florida in their home state without being admitted. (Case No. SC13-1657)

**Jeffrey Anak Smith**, 736 Colorado Ave., **Stuart**, **suspended** for 91 days, effective 30 days from a March 20 court order. Further, upon reinstatement, Smith shall be placed on **probation** for three years. He shall also pay **restitution** of \$62,300 to 26 clients and participate in fee arbitration with approximately 40 other clients. (Admitted to practice: 1994) Between 2010 and 2012, Smith engaged in an improper course of conduct involving loan modification matters, resulting in numerous client complaints. He failed to adequately supervise non-lawyer employees who were assigned to work on the cases and he failed to diligently represent and communicate with his clients regarding their loan modifications. (Case Nos. SC13-770 & SC13-646)

**Paul Dunlap Srygley**, 327 Office Plaza, Suite 103, **Tallahassee**, **suspended** for 91 days, effective May 24, following a March 25 court order. (Admitted to practice: 1980) Srygley was retained in February 2005 to represent a client. She said she had trouble contacting him and he was constantly misplacing her file and repeatedly asking her to resend documents. On July 8, 2009, the client advised Srygley that she intended to file a complaint with The Florida Bar. The next day Srygley informed her that the statute of limitations had run out and she did not have a viable case. In October 2009, the client requested a refund of two-thirds of the \$3,500 fee within 30 days. Srygley promised to refund the money, however, it was not refunded until May 2011. (Case No. SC12-1487)

**Edwin Richard Tilton**, 3533 S.W. 24<sup>th</sup> Ave., Apt. K, **Gainesville**, **disbarred** effective immediately, following a Feb. 18 court order. (Admitted to practice: 1990) Tilton pleaded no contest in court to three separate crimes including battery and domestic violence against a then-girlfriend that he was representing in dependency proceedings. (Cases No. SC12-1228 & SC12-1883)