

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

DIEGO HANDEL,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2021-30,181 (7A) (OSC)

PETITION FOR CONTEMPT AND ORDER TO SHOW CAUSE

The Florida Bar, petitioner, pursuant to Rule 3-7.7(g), petitions the Supreme Court of Florida to enter an order to show cause why respondent should not be held in contempt of this Court's order entered on May 30, 2019 in Supreme Court Case Number SC19-295 and why respondent should not be permanently disbarred. In support of its Petition, The Florida Bar states:

1. By Supreme Court Order entered in Case Number SC19-295 on May 30, 2019, this Court disbarred respondent from the practice of law, effective immediately.

2. On or about October 5, 2020, Tate Blomquist and her fiancé, Uzoma "Uzo" Nwachukwu, a Nigerian immigrant who had been living in the United States for several years and who had graduated from Embry-Riddle

Aeronautical University in Daytona Beach, Florida, hired respondent to represent Mr. Nwachukwu in seeking a marriage-based immigration permanent resident card, also known as a “green card.” Affidavits of Ms. Tate Blomquist and Mr. Uzoma Nwachukwu are attached hereto and incorporated herein as Exhibits “A” and “B” respectively.

3. Ms. Blomquist and Mr. Nwachukwu decided to hire respondent because respondent was handling Folashade Balogun’s naturalization case and Ms. Balogun was a very close friend of Mr. Nwachukwu.

4. On October 5, 2020, Ms. Blomquist and Mr. Nwachukwu met with respondent at his office located at 149 South Ridgewood Avenue, Suite 220, Daytona Beach, Florida for a consultation that lasted one and one-half hours.

5. During the initial consultation, respondent advised Ms. Blomquist and Mr. Nwachukwu as to how they could obtain a marriage-based permanent resident card for Mr. Nwachukwu. Respondent explained the process to them and agreed to represent Mr. Nwachukwu in the immigration matter.

6. Respondent advised them that he would complete the necessary paperwork and handle the immigration case for a fee of \$1,750.00 and that the filing costs would be an additional \$1,760.00.

7. During the meeting, Ms. Blomquist inquired how long respondent had been practicing law and respondent replied that he had been practicing law “forever” and that he originally was from South Africa and had immigrated to the United States.

8. Ms. Blomquist and Mr. Nwachukwu provided respondent with their original documents needed to prepare the necessary paperwork to commence the immigration case.

9. Ms. Blomquist and Mr. Nwachukwu believed respondent to be an attorney who was licensed to provide Mr. Nwachukwu with legal services in connection with the immigration matter.

10. At no time did respondent advise either Ms. Blomquist or Mr. Nwachukwu that he was not an attorney or that he had been disbarred from the practice of law in Florida.

11. Respondent advised Ms. Blomquist and Mr. Nwachukwu that he could not accept credit card payments. As a result, Ms. Blomquist and Mr. Nwachukwu briefly left respondent’s office to visit an automated teller machine, obtained the necessary cash, and returned to respondent’s office.

12. Ms. Blomquist paid respondent \$200.00 for the initial consultation, in cash, for which respondent provided her with a hand-written receipt.

13. When Ms. Blomquist asked respondent for his business card, respondent advised that he did not have any at the moment because they were being printed.

14. Concerned about respondent's lack of normal office trappings such as a receptionist, business cards, other clients in the waiting area and ability to accept credit card payments, on October 6, 2020, Ms. Blomquist conducted an internet search of respondent's name. The search results revealed that respondent had been disbarred from the practice of law in Florida.

15. Thereafter, on October 6, 2020, Mr. Nwachukwu and Ms. Balogun went to respondent's office and met with respondent.

16. Mr. Nwachukwu advised respondent that he and Ms. Blomquist had learned of respondent's disbarment and that he and Ms. Balogun wanted a refund of the money paid to respondent for legal services.

17. Although respondent refunded to Mr. Nwachukwu the \$200.00 payment, respondent advised that he was unable to pay any refund to Ms. Balogun at that time due to a lack of sufficient funds. Respondent advised Ms. Balogun to return to the office at 2:30 p.m. on October 7, 2020 and respondent would be able to make a refund to her at that time.

18. Respondent returned to Mr. Nwachukwu the original documents received from Ms. Blomquist and Mr. Nwachukwu and returned the original documents received from Ms. Balogun as well.

19. On October 6, 2020, Shirley Coleman, Staff Investigator with The Florida Bar, interviewed Ms. Blomquist and Mr. Nwachukwu regarding their interaction with respondent whom they believed to be an attorney. See Affidavit of Shirley Coleman attached hereto and incorporated herein as Exhibit "C".

20. On October 20, 2020, Ms. Coleman also interviewed Ms. Balogun regarding her interaction with respondent. Ms. Balogun also believed that respondent was an attorney when she hired him to represent her in her immigration case.

21. Further, as of January 26, 2021, respondent's LinkedIn profile identifying him as a partner and owner of Diego Handel Law Offices and the Diego Handel Attorney/The Law Offices of Diego Handel Facebook page remain active. See Affidavit of Shirley Coleman, Staff Investigator with The Florida Bar, attached hereto and incorporated herein as Exhibit "C".

22. The other members of The Florida Bar should not have to pay for respondent's noncompliance with this Court's order and the instant

proceeding. Therefore, the Bar is requesting administrative costs of \$1,250.00 against respondent.

WHEREFORE, The Florida Bar, respectfully requests this Court enter an order compelling Diego Handel to show cause why Diego Handel should not be held in contempt of this Court's Order and permanently disbarred.

Respectfully submitted,



Karen Clark Bankowitz, Bar Counsel
The Florida Bar
Orlando Branch Office
1000 Legion Place, Suite 1625
Orlando, Florida 32801-1050
(407) 515-3248
Florida Bar No. 706531
kbankowitz@floridabar.org
orlandooffice@floridabar.org

CERTIFICATE OF SERVICE

I certify that this document has been E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, with copies provided to Diego Handel, Respondent, by E-mail at dhandel@bellsouth.net, and by United States Mail certified mail No. 9414 7266 9904 2965 0418 19, return receipt requested, at 149 South Ridgewood Avenue, Suite 220, Daytona Beach, Florida 32114-4371; and to Staff Counsel, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, via E-mail at psavitz@floridabar.org; on this 4th day of February, 2021.

A handwritten signature in black ink, reading "Karen Clark Bankowitz". The signature is written in a cursive, flowing style.

Karen Clark Bankowitz, Bar Counsel

NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY EMAIL ADDRESS

PLEASE TAKE NOTICE that the trial counsel in this matter is Karen Clark Bankowitz, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Orlando Branch Office, The Gateway Center, 1000 Legion Place, Suite 1625, Orlando, Florida 32801-1050, (407) 515-3248 and kbankowitz@floridabar.org, orlandooffice@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Staff Counsel, The Florida Bar, 651 East Jefferson Street, Tallahassee, FL 32399-2300, psavitz@floridabar.org.