

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

ROBERT AUGUSTUS HARPER III,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2016-00,266 (2A)

COMPLAINT

The Florida Bar, complainant, files this Complaint against Robert Augustus Harper III, respondent, pursuant to the Rules Regulating The Florida Bar and alleges:

1. Respondent is, and at all times mentioned in the complaint was, a member of The Florida Bar, admitted on October 22, 2004 and is subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent resided and practiced law in Leon County, Florida, at all times material.
3. The Second Judicial Circuit Grievance Committee A found probable cause to file this complaint pursuant to Rule 3-7.4, of the Rules Regulating The Florida Bar, and this complaint has been approved by the presiding member of that committee.

4. On or about January 30, 2012, Kathryn O’Keefe (“Ms. O’Keefe”) contacted respondent and began fee negotiations for representation in a case involving a false accusation of inappropriate touching by Ms. O’Keefe of a student at the school where she was employed as a teacher.

5. In a series of emails between the two, respondent led Ms. O’Keefe to believe that she was being actively investigated by Department of Children and Families (DCF) and the State Attorney’s Office by stating in an email, “Already, there are 3 prosecutors assigned to the investigation of the complaint made against you.”

6. In fear of possible arrest, Ms. O’Keefe felt it was imperative that she immediately obtain counsel, and borrowed the agreed upon \$10,000 fee and hired respondent.

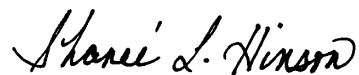
7. No police report was ever made, no criminal charges were ever filed and no DCF investigation was ever opened against Ms. O’Keefe.

8. In September 2012, after a tribunal before the Diocese of St. Augustine, Ms. O’Keefe was exonerated and the allegations were deemed unfounded.


9. By reason of the foregoing, respondent has violated the following Rules Regulating The Florida Bar: 3-4.3 Misconduct and Minor Misconduct; 4-1.5(a)(2) the fee or cost is sought or secured by the attorney by means of

intentional misrepresentation or fraud upon the client; 4-8.4(c) A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.

WHEREFORE, The Florida Bar prays respondent will be appropriately disciplined in accordance with the provisions of the Rules Regulating The Florida Bar as amended.



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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 a copy provided via email to Respondent's Counsel, Richard A. Greenberg, at rgreenberg@rumberger.com; using the E-filing Portal and that a copy has been furnished by United States Mail via certified mail No. 7016 0750 0000 3623 7218, return receipt requested to Respondent's Counsel, whose record bar address is Rumberger, Kirk and Caldwell, 215 S. Monroe St., Suite 702, Tallahassee, FL 32301-1858 and via email to Shaneé L. Hinson, Bar Counsel, shinson@flabar.org, on this 8th day of March, 2017.

Adria E. Quintela

ADRIA E. QUINTELA
Staff Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY
EMAIL ADDRESS**

PLEASE TAKE NOTICE that the trial counsel in this matter is Shaneé L. Hinson, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Tallahassee Branch Office, 651 East Jefferson Street Tallahassee, Florida 32399-2300, (850) 561-5845 and shinson@flabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Staff Counsel, The Florida Bar, Lakeshore Plaza II, Suite 130, 1300 Concord Terrace, Sunrise, Florida 33323, aquintel@flabar.org.

MANDATORY ANSWER NOTICE

RULE 3-7.6(h)(2), RULES OF DISCIPLINE, EFFECTIVE MAY 20, 2004,
PROVIDES THAT A RESPONDENT SHALL ANSWER A COMPLAINT.