

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,

v.

GRANT GRIFFITH SARBINOFF,
Respondent.

Supreme Court Case
No. SC22-573

The Florida Bar File
No. 2017-70,559 (11J)(MFC)

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CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Grant Griffith Sarbinoff, and files this Conditional Guilty Plea pursuant to Rule 3-7.9 of the Rules Regulating The Florida Bar.

1. Respondent is, and at all times mentioned herein was, a member of The Florida Bar, subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent is currently the subject of a disciplinary proceeding which has been assigned Supreme Court Case No. SC22-573, The Florida Bar File No. 2017-70,559(11J)(MFC), and which is presently pending before the Honorable Richard Hersch, Referee.

3. Respondent admits that the following facts are true and accurate and stipulates as follows:

A. On November 15, 2021, in the case styled *The State of Florida v. Grant Griffith Sarbinoff*, Case No. F17008486 in the 11th Judicial Circuit Court in and for Miami-Dade County, Respondent entered a plea of guilty to the following felony offenses: two counts of Criminal Use of Personal Identification Information (Fla. Stat. § 817.568(2)(A) and (C)), one count of Unlawful Use of a Two-Way Communications Device (Fla. Stat. § 934.215), and sixteen counts of Offenses Against Users of Computers (Fla. Stat. § 815.06(2)(A)). Adjudication of guilt was withheld as to all of the aforementioned charges, other than one count of Criminal Use of Personal Identification Information under Fla. Stat. § 817.568(2)(C).

B. By reason of the foregoing, respondent has violated Rule 4-8.4(b) (“A lawyer shall not commit a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects”) of the Rules Regulating The Florida Bar.

4. Respondent offers the following mitigating factors in mitigation pursuant to the Florida Standards For Imposing Lawyer Sanctions:

(1) absence of a prior disciplinary record;

(3) personal or emotional problems; the Respondent submitted evidence to the Bar that when the Respondent's father died he suffered severe emotional distress that led to over medication of a strong stimulant which exacerbated the problems.

(5) full and free disclosure to the bar or cooperative attitude toward the proceedings; The Respondent has cooperated fully with all requests by the Florida Bar.

(8) mental disability; the Respondent has been long diagnosed with ADHD and prescribed the stimulant Adderall. The prescription dosage of the stimulant was doubled after the Respondent's father died and set at the maximum allowed dosage for an adult male. Dr. Sanford Jacobson, the Forensic Psychiatrist who made the initial diagnosis of "stimulant-induced psychosis", opined that the prescribed dose was far greater than what should have been prescribed. Dr. Merry Haber, the Respondent's current Psychologist, has opined that she agrees with Dr. Sanford Jacobson, that the prescribed dose was far greater than what should have been prescribed and resulted in Adderall-induced psychosis which was the primary cause of the Respondent's unlawful behavior. Dr. Haber has opined that but-for the

greatly overprescribed stimulant Adderall, the Respondent would not have engaged in the criminal acts.

(10) interim rehabilitation; the Respondent has engaged in continued voluntary appointments with Dr. Merry Haber, his current Psychiatrist, continuously for over 3 years to the present. The Respondent has voluntarily enrolled in FLA, Inc. and has dutifully complied with all requirements and will continue to do so during the proposed three-year term of the FLA, Inc. contract. The Respondent is enrolled in an MBA program at Boston University and is currently maintaining an "A" grade point average.

(11) imposition of other penalties or sanctions; The Respondent was disciplined by the criminal justice system and is currently on probation and will remain on probation during the term of his contract with FLA, Inc.

(12) remorse; the Respondent is genuinely and truly remorseful for his actions.

5. The disciplinary measures to be imposed upon respondent are as follows:

A. Suspension for a period of three (3) years, *nunc pro tunc* from the date of his suspension on May 30, 2022.

B. Payment of the disciplinary costs in this proceeding.

C. Respondent has entered into a contract with Florida Lawyers Assistance, Inc. (FLA, Inc.) prior to the filing of this consent judgment. The contract will be monitored by FLA, Inc. until such time as respondent has been reinstated or completed the contract. Prior to petitioning for Reinstatement, respondent shall comply with any and all requirements and recommendations by FLA, Inc. at his own expense, pursuant to his contract with the organization, including any recommendation by FLA, Inc. for or against reinstatement.

6. Respondent acknowledges that, unless waived or modified by the Court on motion of respondent, the court order will contain a provision that prohibits respondent from accepting new business from the date of the order or opinion and shall provide that the suspension is effective 30 days from the date of the order or opinion so that respondent may close out the practice of law and protect the interest of existing clients.

7. If this plea is not finally approved by the referee and the Supreme Court of Florida, then it shall be of no effect and may not be used by the parties in any way.

8. Respondent agrees to eliminate all indicia of respondent's status as an attorney on email, social media, telephone listings, stationery, checks, business cards office signs or any other indicia of respondent's status as an attorney, whatsoever.

9. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q) in the amount of \$1,402.25. These costs are due within 30 days of the court order. Respondent agrees that if the costs are not paid within 30 days of this court's order becoming final, respondent shall pay interest on any unpaid costs at the statutory rate. Respondent further agrees not to attempt to discharge the obligation for payment of the Bar's costs in any future proceedings, including but not limited to, a petition for bankruptcy. Respondent shall be deemed delinquent and ineligible to practice law pursuant to Rule 1-3.6 if the cost judgment is not satisfied within 30 days of the final court order, unless deferred by the Board of Governors of The Florida Bar.

10. Respondent acknowledges the obligation to pay the costs of this proceeding and that payment is evidence of strict compliance with the

conditions of any disciplinary order or agreement and is also evidence of good faith and fiscal responsibility. Respondent understands that failure to pay the costs of this proceeding may reflect adversely on any reinstatement proceedings or any other bar disciplinary matter in which respondent is involved.

11. Respondent is acting freely and voluntarily in this matter, and tenders this Plea without fear or threat of coercion. Respondent is represented in this matter.

12. This Conditional Guilty Plea for Consent Judgment comports with relevant precedent. *See, e.g., TFB v. Zepeda*, 2016 WL 4399105 (Fla. Aug. 18, 2016) (consent judgment for a three-year suspension in connection with respondent's aggravated assault with a firearm, where respondent was in a state of psychosis due to prescribed medication); *TFB v. Chiarenza*, Case No. 16-741, TFB File No. 2016-70,458 (Fla. 2018) (consent judgment for a three-year suspension in connection with assault with a firearm, where respondent's prior brain injury caused him an elevated fear of death during a physical altercation).

13. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 9th day of September, 2022.


Grant Griffith Sarbinoff, Respondent
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Approved by:

Dated this 9 day of Sept, 2022.


Richard Baron, Attorney for Respondent
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Dated this 13TH day of SEPTEMBER, 2022.


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