

# Supreme Court of Florida

THURSDAY, JULY 20, 2017

**CASE NO.: SC17-62**  
Lower Tribunal No(s):  
2017-90,037(OSC)

THE FLORIDA BAR

vs. ROBERT PHILIP TUERK

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Petitioner(s)

Respondent(s)

The Florida Bar filed a Petition for Contempt and Order to Show Cause alleging that Respondent had failed to comply with Rule Regulating the Florida Bar 3-5.1(h) as directed by this Court in The Florida Bar v. Robert Philip Tuerk, Case No. SC 16-983 (Fla. Aug. 31, 2016). The Court issued an order on January 17, 2017, directing Respondent to show cause why he should not be held in contempt based on the allegations in the Bar's petition. Respondent filed a response stating that he did not receive notice of either the proceedings in case number SC16-983 or the proceedings in this case until January 31, 2017. The Bar filed a reply stating that all correspondence with Respondent were sent to his record Bar address and email address, and that Respondent signed a return receipt acknowledging his receipt of the Bar's petition in case number SC16-983. The Bar filed a copy of the signed return receipt with its reply. Because Respondent appeared to misrepresent to this Court his receipt of notice of the proceedings in case number SC16-983, the Court issued an order on May 4, 2017, directing Respondent to show cause why he should not be held in contempt and disbarred.

Having considered the Bar's petition, the responses filed by Respondent to both orders to show cause, and the replies filed by the Bar, Respondent is hereby held in contempt for misrepresenting to this Court his receipt of notice of the

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proceedings in case number SC16-983. As a sanction, Respondent is disbarred from the practice of law in the State of Florida. Respondent is currently suspended; therefore this disbarment is effective immediately. Respondent shall fully comply with Rule Regulating the Florida Bar 3-5.1(h). Respondent's "Motion for Extension of Time and/or Stay" is hereby denied.

Judgment is entered for The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, for recovery of costs from Robert Philip Tuerk in the amount of \$1,250.00, for which sum let execution issue.

Not final until time expires to file motion for rehearing, and if filed, determined. The filing of a motion for rehearing shall not alter the effective date of this disbarment.

LABARGA, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, POLSTON, and LAWSON, JJ., concur.

A True Copy  
Test:

  
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John A. Tomasino  
Clerk, Supreme Court



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Served:

ARNE CARL VANSTRUM  
EDWARD ITURRALDE  
ADRIA E. QUINTELA