

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

SABINE MILLIEN-FELIX,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2020-50,157(15E)

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Sabine Millien-Felix, and files this Conditional Guilty Plea for Consent Judgment 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. As to The Florida Bar File No. 2020-50,157(15E), there has been a finding of probable cause by the grievance committee.

3. Respondent is acting freely and voluntarily in this matter and tenders this plea without fear or threat of coercion. Respondent is not represented in this matter.

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

A. 90-day suspension.

B. Respondent will continue to make monthly restitution payments of \$500.00 to Mainlands Section Three homeowners' association until the remaining amount of \$7,500.00, as of December 8, 2022, is paid.¹ Respondent shall provide the Headquarters office of The Florida Bar with verifiable proof of monthly payments which shall consist of copies of her credit card statements showing the monthly payments or that the remaining balance has been paid in full together with written documentation from the complainant attesting that the remaining balance has been paid in full.

C. Payment of The Florida Bar's costs in these proceedings.

5. 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.

¹ Respondent has paid \$9,387.33 in restitution to Mainlands Section Three homeowners' association to date.

6. The following allegations and rules provide the basis for respondent's guilty plea and for the discipline to be imposed in this matter:

A. Respondent was hired as general counsel for Mainlands Section Three homeowners' association.

B. Respondent filed a complaint against Florida Power and Light (FPL) and other defendants.

C. After filing the FPL case, respondent neglected said case and little to no significant action was taken.

D. After a period of inactivity, the FPL case was dismissed for lack of prosecution.

E. Respondent failed to inform Mainlands of the dismissal.

F. One of the defendants in the FPL case, Power Secure, filed a Motion to Assess Costs which was ultimately granted.

G. Just before the running of the statute of limitations, respondent refiled the FPL case after the association had terminated her representation.

H. This case was combined with the prior case after Power Secure alleged it was owed an additional \$7,000.00 for post judgment collection fees and costs.

I. Mainlands thereafter agreed to pay Power Secure a total of \$16,887.73 and dismiss the re-filed FPL case.

J. After the re-filed case was dismissed, respondent agreed to reimburse Mainlands for the \$16,887.73. Respondent is currently making payments.

K. By the conduct set forth above, respondent violated 4-1.7 (Conflict of Interest); 4-1.16 (Declining or Terminating Representation); 4-3.2 (Expediting Litigation); 4-3.3 (Candor Toward the Tribunal); 4-4.1 (Truthfulness in Statements to Others); and 4-8.4(a)(c)(d) (Misconduct) of the Rules Regulating The Florida Bar.

7. Respondent agrees that this Unconditional Guilty Plea for Consent Judgment and every factual admission contained herein, and specifically the admissions set forth in paragraph 6, shall have full force and effect regardless of any subsequent recommendation or action taken with respect to the terms of discipline offered by respondent pursuant to the Consent Judgment.

8. In mitigation of her actions, respondent asserts the following:

A. Respondent has been a member of The Florida Bar since 2004 and a member of the New York Bar since 1989, with no prior discipline.

B. Respondent has made full and free disclosure to the disciplinary agency and has a cooperative attitude toward these proceedings.

C. Respondent is remorseful for her conduct in this matter and began restitution before filing of the initiating grievance.

D. Although the events in question occurred when the respondent was in good health, she subsequently experienced a severe health issue of cancer with several surgeries including a double mastectomy. Her cancer has returned, and she is currently Stage Four. Despite all, she has continued to make timely restitution payments and expressed her deep love of the law and respect for the profession.

9. Recent authority to support the instant disposition is below.

E. In The Florida Bar v. Nah-Deh E. W. Simmons, SC21-21 and SC21-1762 (Fla. Oct. 2022) (TFB File No. 2020-00,106(4D)) – The Court approved the Report of Referee recommending acceptance of a Conditional Guilty Plea for Consent Judgment for a 90-day suspension, Ethics School, DDCS review, and a FLA, Inc. evaluation. Respondent engaged in multiple cases of neglect, inadequate communication, failure to respond to orders to show

cause issued by appellate courts, failure to appear for hearings and trials, in one case filed a client's 3.850 motions *pro se* for the client rather than drafting and filing his own motions incorporating portions of the client's motions, and in one case failed to advise his criminal client of the sentencing hearing then misrepresenting to the court that the client failed to appear due to unforeseen medical issues. In aggravation, respondent engaged in multiple offenses and had substantial experience in the practice law. In mitigation, respondent had no prior disciplinary history, had no dishonest or selfish motive, suffered from personal or emotional problems, made a timely good faith effort to make restitution or to rectify the consequences of his misconduct, fully cooperated with the bar, had a good character or reputation and was remorseful. Rules violated: 4-1.1; 4-1.2; 4-1.3; 4-1.4; 4-1.5; 4-3.2; and 4-8.4.

F. In The Florida Bar v. Nashid Sabir, SC22-1421 (2021-70,113 (11J) and 2021-70,478 (11J)) - By Court order dated November 3, 2022, pursuant to a consent judgment, respondent was suspended for 30 days. In two separate immigration matters, respondent failed to provide his clients with competent and diligent representation. Respondent also failed to adequately communicate

with his clients. Prior to entering into the consent judgment, respondent made some restitution to account for his neglect. He had prior discipline for similar misconduct. Rules violated: 4-1.1; 4-1.2; 4-1.3; 4-1.4; 4-1.5; and 4-8.4.

10. Respondent agrees to reimburse the Client's Security Fund (CSF) for any and all funds CSF has paid or may pay out for claims resulting from respondent's misconduct.

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

12. 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.

13. 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 \$1,560.00. 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.

14. Respondent acknowledges the obligation to pay the costs of this proceeding and the agreed restitution 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 or restitution will reflect adversely on any other bar disciplinary matter in which respondent is involved.

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

Dated this 19 day of December, 2022.

Sabine Millien-Felix
Sabine Millien-Felix, Respondent
Sabine Millien-Felix, PA.
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Dated this 30th day of January, 2023.



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