

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

KENNETH JOSEPH KUKEC,

Respondent.

Supreme Court Case No.
SC-

The Florida Bar File No.
2016-70,414 (11A)

THE FLORIDA BAR'S FORMAL COMPLAINT

The Florida Bar, Complainant, files this Complaint against Kenneth Joseph Kukec, 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 November 14, 1986, and subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent is currently suspended from the practice of law by orders of this Court dated March 2, 2017, April 17, 2017, and September 22, 2017.
3. For all times material hereto, Respondent resided and practiced law in Miami-Dade County, Florida.
4. The Eleventh 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.

5. This proceeding stems from a January 2016 complaint by a client of Respondent's.

6. Respondent was retained by the client in April 2013 to pursue an appeal of a criminal conviction.

7. The Appellate Court docket reflects record activity by Respondent on behalf of the client until the conviction was ultimately affirmed and a mandate issued in December 2015.

8. The client's chief complaint is that Respondent failed to return telephone calls and answer any of his written communications.

9. Respondent failed to respond to the written inquires of The Florida Bar requesting evidence that Respondent returned telephone calls or responded to the client's written communications.

10. While there is record activity by Respondent on the docket of the client's criminal proceedings, there is no evidence that Respondent returned telephone calls to the client or answered any of the client's written communications.

11. By reason of the foregoing, Respondent has violated the following Rules Regulating The Florida Bar:

- a. 4-1.4(a) (Communication)
- b. 4-8.4(g) (Misconduct)

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 The Florida Bar's Formal Complaint has been E-Filed with the Honorable John A. Tomasino, Clerk Of The Supreme Court Of Florida with a copy provided via e-mail to Kenneth Joseph Kukec, Respondent, at Kukec@Bellsouth.Net ; using the e-filing portal and that a copy has been furnished by U.S. Mail via Certified Mail No. 77014 2120 0003 5156 6148, Return Receipt Requested to Respondent, whose record bar address is Kenneth Joseph Kukec, 1128 S.W. 10th Avenue, Miami, FL 33129-1814, and by U.S. Mail via Certified Mail No. 7014 2120 0003 5156 6155 to last known address 614 Whitehead Street, Suite 1, Key West, FL 33040, and to via email to Patrick Russell, Bar Counsel, prussell@flabar.org, on this 26th day of February 2018.



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 Patrick Russell, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Miami Branch Office, 444 Brickell Avenue, Rivergate Plaza, Suite M-100, Miami, Florida 33131-2404, (305) 377-4445 and prussell@flabar.org; and Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Adria E. Quintela, 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.