

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

M. LYNN POPE,

Respondent.

Supreme Court Case  
No.

The Florida Bar File  
No. 2019-90,041(OSC)

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**THE FLORIDA BAR'S PETITION FOR CONTEMPT AND ORDER TO  
SHOW CAUSE**

Petitioner, The Florida Bar, files its Petition for Contempt and Order to Show Cause and requests a three-year suspension against respondent, M. Lynn Pope, and says:

1. In Florida Supreme Court Case No. SC18-601 [The Florida Bar File No. 2018-90,071(OSC)], by order dated May 31, 2018, respondent was suspended for one year, effective immediately.

2. In the order of suspension, respondent was ordered to comply with Rule 3-5.1(h), Rules Regulating The Florida Bar, by notifying her clients, opposing counsel and tribunals of her suspension and providing The Florida Bar within 30 days of her suspension a sworn affidavit listing the names and addresses of all persons and entities that were furnished a copy of the suspension order.

3. On June 5, 2018, The Florida Bar notified respondent of the conditions associated with her suspension to her record bar address and email, specifically the requirement that she submit the sworn affidavit pursuant to Rule 3-5.1(h), Rules Regulating The Florida Bar. See, June 5, 2018, letter from The Florida Bar to respondent attached hereto as “Exhibit A.”

4. On July 9, 2018, The Florida Bar notified respondent of her noncompliance with the conditions of her suspension to her record bar address, email and last known alternate address, specifically her failure to submit the sworn affidavit pursuant to Rule 3-5.1(h). See, July 9, 2018, letter from The Florida Bar to respondent attached hereto as “Exhibit B.”

5. Respondent has not submitted the required affidavit containing a list of persons/entities to which she gave notice of her suspension and provided a copy of the order of suspension.

6. Consequently, The Florida Bar is unaware whether respondent notified any clients, opposing counsel and tribunals of her suspension pursuant to Rule 3-5.1(h).

7. Due to respondent’s non-compliance with this Court’s order dated May 31, 2018, The Florida Bar was obligated to file this Petition for Contempt for noncompliance.

8. The other members of The Florida Bar should not have to pay for respondent's noncompliance with this Court's order and the instant proceeding. Therefore, the Bar is requesting administrative costs of \$1,250.00 against respondent.

WHEREFORE, petitioner, The Florida Bar, respectfully requests this Court enter its order directing respondent, M. Lynn Pope, to show cause why she should not be held in contempt and be suspended for three years, comply with the terms of the Court's order in SC18-601 prior to petitioning for reinstatement, and assess costs in the amount of \$1,250.00 to The Florida Bar.

Respectfully submitted,



Allison Carden Sackett, Bar Counsel  
The Florida Bar  
Headquarters  
651 East Jefferson Street  
Tallahassee, Florida 32399-2300  
(850) 561-5839  
Florida Bar No. 582700  
[asackett@floridabar.org](mailto:asackett@floridabar.org)

## **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, using the E-Filing Portal; with a copy furnished by United States Mail via certified mail No. 7017 0190 0000 0892 2145, return receipt requested to M. Lynn Pope, Respondent, at her record bar address of PO Box 320103, Tampa, Florida 33679-2103, at her last known alternate address of 4016 W Sam Pedro, Tampa, Florida 33629 and by email to [4servecourt2@gmail.com](mailto:4servecourt2@gmail.com); and a copy to Adria E. Quintela, Staff Counsel, by email to [aquintel@floridabar.org](mailto:aquintel@floridabar.org), on this 8th day of February, 2019.



Allison Carden Sackett, Bar Counsel

## **NOTICE OF DESIGNATION OF PRIMARY EMAIL ADDRESS**

PLEASE TAKE NOTICE that bar counsel in this matter is Allison Carden Sackett, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Headquarters, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, (850) 561-5839 and [asackett@floridabar.org](mailto:asackett@floridabar.org). Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than bar counsel and to Staff Counsel, The Florida Bar, Lakeshore Plaza II, Suite 130, 1300 Concord Terrace, Sunrise, Florida 33323, [aquintel@floridabar.org](mailto:aquintel@floridabar.org).



# The Florida Bar

651 E Jefferson Street  
Tallahassee, FL 32399-2300

Joshua E. Doyle  
Executive Director

850/561-5600  
[www.floridabar.org](http://www.floridabar.org)

June 5, 2018

VIA US Mail and E-Mail to [4servecourt2@gmail.com](mailto:4servecourt2@gmail.com)

Ms. M. Lynn Pope  
PO Box 320103  
Tampa, FL 33679-2103

Re: The Florida Bar v. M. Lynn Pope; Supreme Court Case No.: SC18-601  
The Florida Bar File No.: 2018-90,071(OSC)

Dear Ms. Pope:

Pursuant to the order of the Supreme Court of Florida dated May 31, 2018, you were suspended from the practice of law for a period of one year, effective immediately. You were further directed to comply with the terms of the court's order in SC16-1319, prior to petitioning for reinstatement. The filing of a motion for rehearing does not alter the effective date of the suspension. Because the suspension is for a period of time greater than 90 days, you must petition for reinstatement after the suspension has ended, if you wish to resume the practice of law in Florida. Rule 3-7.10 outlines the procedure and considerations for reinstatement. The court's order also assessed costs in the amount of \$1,250.00. Your costs are due in this office no later than July 16, 2018. A Failure to Pay Notice providing important information relating to cost assessments is enclosed. If you are interested in being on a payment plan, and you qualify under the Delinquent Costs paragraph in the attached Failure to Pay Notice, please contact our office immediately.

You must follow the provisions of Rule 3-5.1(h). A copy of the order must be immediately provided to clients, opposing counsel, and certain courts, and you must provide an affidavit to us verifying that this has been done. A form affidavit is enclosed. Please note, providing a copy of the order to the clerk's office does not satisfy this rule. You must provide a copy of the order to the presiding judge. The executed affidavit must be provided to this office within 30 days of the court order **to wit:** July 2, 2018. If you had no clients or pending matters at the time the order was served in this case, the affidavit should so state. Should you accept employment with a Florida lawyer or law firm, additional requirements apply. Please see Rule 3-6.1 in this respect. In order to avoid the appearance of being a lawyer in good standing, you must eliminate all

## Exhibit A

M. Lynn Pope

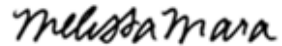
June 5, 2018

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indicia of attorney status (social media, telephone listings, stationery, checks, business cards, office signs, etc.).

I will be your contact person at The Florida Bar for issues relating to compliance with the court's order. I may be contacted at (850) 561-5776 should there be any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Melissa Mara". The script is cursive and fluid.

Melissa M. Mara, CP, FRP

Certified Paralegal

Lawyer Regulation Headquarters

/mmm

Enclosures—Failure to Pay Notice, 3-5.1(h) affidavit

## **FAILURE TO PAY NOTICE**

The Supreme Court of Florida has entered an order assessing costs, fees, imposing fee arbitration and/or restitution obligations. The requirements of this order create certain obligations of which you should be aware.

### **Making Payment**

Please send checks or money orders made payable to "The Florida Bar" to the attention of Lisa F. Chason, The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300. Please place The Florida Bar file number on the check so we may extend proper credit for the payment.

Credit card payments are also accepted by submission of the enclosed credit card form. The entire balance must be paid; no partial payment will be accepted.

### **Delinquent Costs**

Costs are deemed delinquent unless they are paid within 30 days after the recommendation becomes final. The time for payment may be extended by The Board of Governors (hereafter the Board) for good cause shown. In order for the Board to approve an extension of time a payment plan must be requested and certain financial information disclosed. Ordinarily payment plans are not approved unless extreme financial hardship is proven through financial affidavits that include a statement of assets and liabilities.

### **Delinquent Fee Arbitration Award(s)**

Fee arbitration awards are deemed delinquent unless paid within 30 days after the award becomes final.

### **Delinquent Restitution**

Restitution is deemed delinquent unless it is made within the time frame and in the manner provided by the recommendation or the agreement imposing the obligation.

### **Effect of Delinquency**

If costs, restitution or fee arbitration awards become delinquent, you will be deemed a delinquent member of The Florida Bar and as such will not be entitled to practice law in Florida until such time as the delinquency is cured. Cure of the delinquency will include making payment of all required obligations, providing proof of payment, filing a petition for removal of delinquency status and payment of a \$150.00 reinstatement fee. Thereafter the petition will be reviewed and, if appropriate, the delinquency will be removed.



### **Lapse of Membership Status**

Any member who remains delinquent for a period of five years or longer will lose bar membership. A member whose membership has lapsed may return to the practice of law in Florida only through application to the Florida Board of Bar Examiners, which will include taking and passing the bar examination and successful completion of the character and fitness evaluation.

### **Maintaining Contact**

There may be important information that we need to communicate after the recommendation becomes final. For this reason, it is important to maintain an accurate mailing address, telephone number and other contact information. In fact, The Rules Regulating The Florida Bar mandate that all members of The Florida Bar keep current contact information on file.

If you have any questions about these issues please feel free to contact Lisa F. Chason by telephone at (800) 342-8060, ext. 3186.

**The Florida Bar**  
**Lawyer Regulation – Headquarters Office**  
**Authorization for Payment by Credit Card**

Name \_\_\_\_\_

Bar Number \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

The Florida Bar File No. \_\_\_\_\_

Date of Assessment \_\_\_\_\_

Amount Assessed \_\_\_\_\_

Payment Amount \_\_\_\_\_

Credit Card Number \_\_\_\_\_

Credit Card Type (Circle One)      Visa              Mastercard  
    Discover          American Express

Expiration Date \_\_\_\_\_

I hereby authorize The Florida Bar to charge \$\_\_\_\_\_ to the credit card listed above.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Please submit this form to The Florida Bar, Attn: Lisa F. Chason via secure facsimile at (850) 561-9436.** Should you have questions, please contact Ms. Chason at (850) 561-3186 or at [lchason@floridabar.org](mailto:lchason@floridabar.org).

**FOR F&A**

7200001	\$
7200002	\$
7200003	\$
7500001	\$
7600001	\$
4400002	\$
4400003	\$
4400024	\$

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

## AFFIDAVIT

I, M. Lynn Pope, after being duly sworn, say:

This affidavit is submitted pursuant to Rule 3-5.1(h) of the Rules of Discipline in conjunction with the decision in The Florida Bar v. M. Lynn Pope, SC18-601; The Florida Bar File No. 2018-90,071(OSC).

1. \_\_\_\_\_ I had no client(s) or matter(s) pending when the court order was served on me.

OR

2a. \_\_\_\_\_ I have furnished a copy of the court order to all my clients with matters pending when the court order was served on me; and

2b. \_\_\_\_\_ To all opposing counsel and co-counsel in the matters listed in 2a. above; and

2c. \_\_\_\_\_ To all courts, tribunals, or adjudicative agencies before which I am counsel of record.

AND

3. \_\_\_\_\_ I have notified all state (other than The Florida Bar), federal and administrative bars of which I am a member.

4. \_\_\_\_\_ The names and addresses of all persons and entities that have been furnished with such notification are indicated on the attached list (Exhibit A), and such is a complete listing of all persons and entities notified pursuant to this rule.

FURTHER AFFIANT SAYETH NOT.

\_\_\_\_\_  
M. Lynn Pope

SWORN TO AND SUBSCRIBED before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print/type/stamp commission name of notary

Personally known to me or produced the following identification: \_\_\_\_\_

Return to:  
Melissa M. Mara, CP, FRP  
Certified Paralegal  
The Florida Bar  
651 East Jefferson Street  
Tallahassee, Florida 32399-2300



## The Florida Bar

651 E Jefferson Street  
Tallahassee, FL 32399-2300

Joshua E. Doyle  
Executive Director

850/561-5600  
[www.floridabar.org](http://www.floridabar.org)

July 9, 2018

VIA US Mail and E-Mail to [4servecourt2@gmail.com](mailto:4servecourt2@gmail.com)

Ms. M. Lynn Pope  
PO Box 320103  
Tampa, FL 33679-2103

Re: The Florida Bar v. M. Lynn Pope; Supreme Court Case No.: SC18-601  
The Florida Bar File No. 2018-90,071(OSC)

Dear Ms. Pope:

The Florida Bar has not received your affidavit in compliance with Rule 3-5.1(h) as ordered by The Florida Supreme Court. Therefore, you are not in compliance with the terms and conditions of the above-referenced court order.

You were previously notified of this rule by our Lawyer Regulation - Headquarters office on June 5, 2018. A second form affidavit is enclosed for your convenience in fulfilling the requirements of this rule that should be sent directly to my attention at the above address within ten (10) days from the date of this letter. *If you fail to comply with this request, The Florida Bar will file a Petition for Contempt and Order to Show Cause.*

**YOUR PROMPT ATTENTION IS REQUIRED.**

Sincerely,

Allison Carden Sackett  
Associate Director of Lawyer Regulation

ACS/mmm

Enclosure - 3-5.1(h) Affidavit

cc: Last known alternate address: 4016 W Sam Pedro, Tampa, FL 33629

**Exhibit B**

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

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AND

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M. Lynn Pope

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print/type/stamp commission name of notary

Personally known to me or produced the following identification: \_\_\_\_\_

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