

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

JOHN CHIARENZA,

Respondent.

Supreme Court Case
No.

The Florida Bar File
No. 2016-70,458 (11H-MFC)

NOTICE OF JUDGMENT OF GUILT

COMES NOW, The Florida Bar, and files this Notice of Judgment of Guilt, pursuant to Rule 3-7.2(f), Rules of Discipline of The Florida Bar and states:

1. Respondent is a member of The Florida Bar, admitted on July 6, 1990, and subject to the jurisdiction and disciplinary Rules of the Supreme Court of Florida.
2. On or about January 8, 2015, in a case styled *The State of Florida v. John Chiarenza*, Case No. F12-022501, in the Circuit Court of the Eleventh Judicial Circuit for Miami-Dade County, Florida, a jury found Respondent guilty of one count of aggravated assault by possession of firearm, a third degree felony. A copy of the Judgment adjudicating Respondent guilty and sentencing him to a term of three (3) years in prison followed by two (2) years of probation is attached as Exhibit "A".

WHEREFORE, The Florida Bar respectfully requests that this Court enter an order:

a. Finding Respondent guilty of violating 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;

b. Suspending Respondent pursuant to Rule 3-7.2(f), Rules of Discipline of The Florida Bar;

c. Ordering Respondent to furnish a copy of the suspension order to all clients, opposing counsel and courts before which he is counsel of record as required by Rule 3-5.1(h) of the Rules of Discipline of The Florida Bar and to furnish staff counsel with the requisite affidavit listing all clients, counsel and courts so informed within 30 days after receipt of the court's order; and

d. Appointing or directing the appointment of a referee to conduct a hearing on sanctions pursuant to Rule 3-7.2(h), Rules of Discipline of The Florida Bar.

Respectfully submitted,



Tonya L. Avery, Bar Counsel
The Florida Bar
Miami Branch Office
444 Brickell Avenue, Suite M-100
Miami, Florida 33131-2404
(305) 377-4445
Florida Bar No. 190292
tavery@flabar.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 with a copy provided to John Chiarenza, Respondent, via e-mail at chiarenzajohn@hotmail.com using the e-Filing Portal and that a copy has been furnished via United States Mail, Certified Mail No. 7014 2120 0003 5156 0207, Return Receipt Requested, to 13020 Southwest 92nd Avenue, Apartment A-311, Miami, Florida 33176; and to Adria E. Quintela, Staff Counsel of The Florida Bar via e-mail at aquintel@flabar.org using the e-Filing Portal on this 3rd day of May, 2016.

A handwritten signature in black ink, appearing to read 'Tonya L. Avery', with a long horizontal flourish extending to the right.

Tonya L. Avery, Bar Counsel

<u>DIVISION</u>	<u>JUDGMENT</u>
<input checked="" type="checkbox"/> CRIMINAL	<input type="checkbox"/> Probation Violator <input type="checkbox"/> Retrial <input type="checkbox"/> Community Control Violator <input type="checkbox"/> Resentence

<u>PLAINTIFF (S)</u>	<u>VS. DEFENDANT (S)</u>
THE STATE OF FLORIDA	JOHN CHIARENZA

CASE NUMBER: F12-022501

The Defendant, JOHN CHIARENZA, being personally before this Court represented by DENNIS G KAINEN, PA and BRIELLE L MARK, PA, his/her attorney of record.

The State represented by, STACY TURANSKY and ALEXANDER KARDEN, S, Assistant State's Attorney, and having:

- been tried and found guilty by Jury
- DNA not taken

to the following crime(s):

CLOCK IN
 FEB - 5 PM 2:29
 GREEN FOR RECORD

COUNT	CRIME	DEGREE	OFFENSE STATUTE NO.
1	AGGRAVATED ASSAULT Defendant actually possess a firearm	3/F	784.021(1)(A) 775.087

and no cause being shown why the Defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is hereby ADJUDICATED GUILTY of the above crime(s).

STATE OF FLORIDA, COUNTY OF DADE
 I HEREBY CERTIFY that the foregoing is a true and correct copy of the original on file in this office. **FEB 18 2016** AD 28
 HARVEY RUVIN, Clerk of Circuit and County Courts
 Deputy Clerk



MICHAEL GRAY DUAR

RECORDED

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.
 IN THE COUNTY COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.

DIVISION
 CRIMINAL
 OTHER

CHARGES/COSTS/FEEs

CASE NUMBER
F12-22501

THE STATE OF FLORIDA VS. JOHN CHIARENZA

CLOCK IN

PLAINTIFF

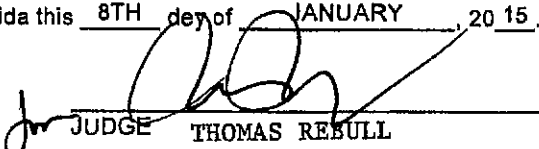
DEFENDANT

The Defendant is hereby ordered to pay the following sum if checked:

- Fifty dollars (\$50.00) pursuant to F.S. 775.083(2) (Crime Prevention Fund (Ord. 98-171))
- Five dollars (\$5.00) pursuant to F.S. 938.01(1)/938.15 (County/State (LETF))
- Fifty dollars (\$50.00) pursuant to F.S. 938.03(4) (Crime Compensation Trust Fund (CCA))
- Two hundred and twenty-five dollars (\$225.00) pursuant to F.S. 938.05(1) (Local Criminal Justice Trust Fund)
- Sixty-five dollars (\$65.00) pursuant to F.S. 939.185(1)(a) (Add'l Court Costs (Ord. 04-116))
- Eighty-five dollars (\$85.00) pursuant to F.S. 939.185(1)(b) (Surcharge (Ord. 05-123))
- Three dollars (\$3.00) pursuant to F.S. 938.19(2) (Teen Court (Ord. 98-185))
- One hundred dollars (\$100.00) pursuant to F.S. 938.27(8) (Cost of Prosecution)
- A sum of \$20.00 pursuant to F.S. 938.06 (Crime Stopper's Program)
- Fifty dollars (\$50.00) pursuant to F.S. 27.52(1)(b) (Public Defender Application Fee)
- One hundred dollars (\$100.00) pursuant to F.S. 938.29 (Cost of Defense)
- A sum of _____ pursuant to F.S. 775.083(1) (Fine)
- A sum of _____ pursuant to F.S. 938.04 (Surcharge 5% of Fine)
- A sum of \$500.00 pursuant to F.S. 796.07(6) (Prostitution Civil Penalty)
- A sum of \$201.00 pursuant to F.S. 938.08 (Domestic Violence Surcharge)
- A sum of \$151.00 pursuant to F.S. 938.085 (Rape Crisis Trust)
- A sum of \$151.00 pursuant to F.S. 938.10(1) (Child Advocacy Trust)
- A sum of \$100.00 pursuant to F.S. 938.25 (FDLE Operation Trust Fund)
- A sum of _____ pursuant to F.S. 938.21 (Alcohol & Drug Abuse)

Other COURT COST DEFERRED UNTIL SENTENCING

DONE AND ORDERED in Open Court in Miami-Dade County, Florida this 8TH day of JANUARY, 20 15.


JUDGE THOMAS RESULL

DIVISION

SENTENCE

CRIMINAL

AS TO COUNT: 1

PLAINTIFF(S)

VS. DEFENDANT(S)

THE STATE OF FLORIDA

JOHN CHIARENZA

CASE NUMBER: F12-022501

OBTS NUMBER _____

The Defendant, being personally before this Court, accompanied by his/her attorney(s): DENNIS G KAINEN, PA and BENEDICT P KUEHNE, PA and having been adjudicated guilty herein, and the Court having given the defendant an opportunity to

be heard and to offer matters in mitigation of sentence, and to show cause why he/she should not be sentenced as provided by law, and no cause having been shown:

And the court having on 01/08/15 deferred imposition of sentence until this date.

IT IS THE SENTENCE OF THE COURT that the defendant is hereby:

Is hereby committed to the custody of the Florida Department of Corrections.

TO BE IMPRISONED:

For a term of 3.00 Year(s).

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

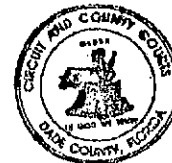
SPLIT SENTENCE

Probation Length: 2 Year(s)

Followed by a period of (the specified length), on Probation under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

CLOCK IN
CIRCUIT CLERK
JAN 13 2016
3:29
GREEN FOR RECORD

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that the foregoing is a true and correct copy of the original on file in this office. FEB 18 2016 AD 28
HARVEY RUVIN, Clerk of Circuit and County Courts
Deputy Clerk



MICHAEL GRAY 8040

IN REF: Defendant
JOHN CHIARENZA

SPECIAL PROVISIONS

CASE NUMBER: F12-022501

AS TO COUNT: 1

By appropriate notation, the following provisions apply to the sentence imposed:

MANDATORY / MINIMUM PROVISIONS:

<u>CATEGORY</u>	<u>SPECIAL PROVISION DESCRIPTION</u>	<u>SPECIFICATION</u>
Firearm	Possession	3 YEARS MINIMUM MANDATORY
Firearm	It is further ordered that the specified mandatory minimum imprisonment provisions of Florida Statute 775.087(2) are hereby imposed for the sentence specified in this count.	