

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant,

v.

SCOTT CHARLES MADDOX,

Respondent.

Supreme Court Case
No. SC19-1373

The Florida Bar File
No. 2020-00,070(2A)

REPORT OF REFEREE ACCEPTING DISBARMENT ON CONSENT

I. SUMMARY OF PROCEEDINGS

Pursuant to the undersigned being duly appointed as referee to conduct disciplinary proceedings herein according to Rule 3-7.6, Rules of Discipline, the following proceedings occurred:

On August 15, 2019, The Florida Bar filed its Notice of Judgment of Guilt against Respondent. All of the aforementioned pleadings, responses thereto, exhibits received in evidence, and this Report constitute the record in this case and are forwarded to the Supreme Court of Florida.

II. FINDINGS OF FACT

A. Jurisdictional Statement. Respondent is, and at all times mentioned during this investigation was, a member of The Florida Bar, subject to the jurisdiction and disciplinary rules of the Supreme Court of Florida.

B. Narrative Summary of Case.

On or about December 5, 2018, respondent was Indicted on 44 Counts pursuant to an FBI Corruption Investigation.

On August 6, 2019 respondent pled guilty to three (3) Felonies to wit; Count Twenty (Honest Services Wire Fraud), Twenty-Three (Honest Services Mail Fraud) and Count Forty-One (Conspiracy to Defraud the United States Government).

III. RECOMMENDATIONS AS TO GUILT

I recommend that Respondent be found guilty of violating Rule 3-7.2 of the Rules Regulating The Florida Bar.

IV. RECOMMENDATION AS TO DISCIPLINARY MEASURES TO BE APPLIED

I recommend that Respondent be found guilty of misconduct justifying disciplinary measures, and that he be disciplined by:

Disbarment, and

Payment of The Florida Bar's costs.

V. PERSONAL HISTORY AND PAST DISCIPLINARY RECORD

Prior to recommending discipline pursuant to Rule 3-7.6(m)(1)(D), I considered the following personal history of Respondent, to wit:

Age: 51 years of age

Date admitted to the Bar: October 5, 1995

Prior Discipline: None.

Mitigating Factors: 9.32

None

Aggravating Factors: 9.22

- (b) dishonest or selfish motive;
- (d) multiple offenses; and
- (i) substantial experience in the practice of law.

Discipline Received in Similar Cases:

In The Florida v. Cohen, 908 So.2d 405 (Fla. 2005), attorney's knowing conspiracy with third party to conceal money in order to help third party avoid federal reporting requirements warranted disbarment.

In The Florida Bar v. Cueto, 834 So.2d 152 (Fla. 2002), an attorney's conduct in participating over course of six years in an illegal kickback scheme involving settlement of injury cases with county adjuster until attorney's arrest and subsequent felony conviction for unlawful compensation warranted disbarment.

In The Florida Bar v. Dougherty, 769 So.2d 1027 (Fla. 2000), federal felony convictions for wire fraud warranted disbarment for five years.

In The Florida Bar v. Nedick, 603 So.2d 502 (Fla. 1992), an attorney was disbarred for knowingly conspiring and agreeing to submit false tax returns to the federal government is fraudulent conduct of a serious order. On six different occasions over a five-year period, Nedick consciously acted to violate the law; and upon the federal government's discovery of this violation, he pled guilty and was convicted of tax evasion.

Discipline Indicated by Standards for Imposing Lawyer Sanctions:

5.1 Failure to Maintain Public Trust

5.11 Disbarment is appropriate when: (a) a lawyer is convicted of a felony under applicable law; or (b) a lawyer engages in serious criminal conduct, a necessary element of which includes intentional interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft.

VI. STATEMENT OF COSTS AND MANNER IN WHICH COSTS SHOULD BE TAXED

I find the following costs were reasonably incurred by The Florida Bar:

Investigative Costs	\$14.00
Court Reporter Fees	\$170.00
Administrative Costs	\$1,250.00
TOTAL	\$1,434.00

It is recommended that such costs be charged to Respondent and that interest at the statutory rate shall accrue and that should such cost judgment not be satisfied within thirty days of said judgment becoming final, Respondent shall be deemed delinquent and ineligible to practice law, pursuant to R. Regulating Fla. Bar 1-3.6, unless otherwise deferred by the Board of Governors of The Florida Bar.

Dated this 29 day of October, 2019.



William F Williams III, Referee
200 Ohio Ave South
Live Oak, FL 32064-3200

Original To:

Clerk of the Supreme Court of Florida; Supreme Court Building; 500 South Duval Street, Tallahassee, Florida, 32399-1927

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