

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

NATHANIEL H. SPEIGHTS,

Respondent.

Supreme Court Case
No.

The Florida Bar File
No. 2020-90,019(OSC)

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

Petitioner, The Florida Bar, files this Petition for Contempt and Order to Show Cause and requests disbarment against respondent, Nathaniel H. Speights, and says:

1. In Florida Supreme Court Case Nos. SC18-1027 and SC18-1482 [The Florida Bar File Nos. 2018-00,260(2B) and 2019-00,057(2B)], by order dated April 18, 2019, respondent was suspended for three years, effective May 20, 2019.

2. In the order of suspension, respondent was ordered to comply with Rule 3-5.1(h), Rules Regulating The Florida Bar, by notifying his clients, opposing counsel and tribunals of his suspension and providing The Florida Bar within 30 days of his 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 April 23, 2019, The Florida Bar notified respondent of the

conditions associated with his suspension to his record bar address, specifically the requirement that he submit the sworn affidavit pursuant to Rule 3-5.1(h). See, April 23, 2019, letter from The Florida Bar to respondent attached hereto as “Exhibit A.”

4. On May 21, 2019, The Florida Bar notified respondent of his noncompliance with the conditions of his suspension to his record bar address, specifically his failure to submit the sworn affidavit pursuant to Rule 3-5.1(h). See, May 21, 2019, 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 he gave notice of his 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 his suspension pursuant to Rule 3-5.1(h).

7. Due to respondent’s non-compliance with this Court’s order dated April 18, 2019, The Florida Bar was obligated to file this Petition for Contempt for noncompliance.

8. Implicit in any order of discipline is enhanced discipline if respondent fails to comply with the terms and conditions of this Court’s order.

9. 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, Nathaniel H. Speights, to show cause why he should not be held in contempt and be disbarred, comply with the terms of the Court's order in SC18-1027 and SC18-1482 prior to applying for readmission, and assess costs in the amount of \$1,250.00 to The Florida Bar.

Respectfully submitted,



Patricia Ann Toro Savitz, Bar Counsel
The Florida Bar
Headquarters
651 East Jefferson Street
Tallahassee, Florida 32399-2300
(850) 561-5839
Florida Bar No. 559547
psavitz@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 2282, return receipt requested, to Nathaniel H. Speights, Respondent, at his record bar address of PO Box 33152, Washington, DC 20033-0152, on this 7th day of November, 2019.



Patricia Ann Toro Savitz, Bar Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY
EMAIL ADDRESS**

PLEASE TAKE NOTICE that the bar counsel and staff counsel in this matter is Patricia Ann Toro Savitz, 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 savitz@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

651 E Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.floridabar.org

April 23, 2019

Mr. Nathaniel H. Speights
Post Office Box 33152
Washington, DC 20033-0152

Re: The Florida Bar v. Nathaniel H. Speights; Supreme Court Case No.: SC18-1027
The Florida Bar File Nos.: 2018-00,260(2B) and 2019-00,057(2B)

Dear Mr. Speights:

Pursuant to the order of the Supreme Court of Florida dated April 18, 2019, you were suspended from the practice of law for a period of 3 years. The effective date of the suspension is May 20, 2019. 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 \$1,410.00. Your costs are due in this office no later than June 3, 2019. 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:** May 20, 2019. 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 indicia of attorney status (social media, telephone listings, stationery, checks, business cards, office signs, etc.).

Exhibit A

Mr. Nathaniel H. Speights

April 23, 2019

Page 2

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

Sincerely,

A handwritten signature in black ink that reads "Lisa Chason". The signature is written in a cursive, flowing style.

Lisa Chason, Compliance Coordinator
Lawyer Regulation Headquarters

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 accepted via phone call to Lisa F. Chason at (800) 342-8060, ext. 3186.

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.

STATE OF FLORIDA
COUNTY OF _____

AFFIDAVIT

I, Nathaniel H. Speights, 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. Nathaniel H. Speights, SC18-1027; The Florida Bar File No. 2018-00,260 (2B).

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.

Nathaniel H. Speights

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

May 21, 2019

Mr. Nathaniel H. Speights
PO Box 33152
Washington, DC 20033-0152

Re: The Florida Bar v. Nathaniel H. Speights; Supreme Court Case No.: SC18-1027
The Florida Bar File Nos. 2018-00,260(2B), et al.

Dear Mr. Speights:

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 April 23, 2019. 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/mm

Enclosure - 3-5.1(h) Affidavit

Exhibit B

STATE OF _____
COUNTY OF _____

AFFIDAVIT

I, Nathaniel H. Speights, 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. Nathaniel H. Speights, SC18-1027; The Florida Bar File Nos. 2018-00,260(2B), et al.

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.

Nathaniel H. Speights

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