

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Supreme Court Case No.

Petitioner,

The Florida Bar File No.

v.

2020-00,093(4B)OSC

EARL MAYBERRY JOHNSON JR.,

Respondent.

_____/

PETITION FOR CONTEMPT AND ORDER TO SHOW CAUSE

The Florida Bar, petitioner, pursuant to Rule 3-7.7(g), petitions the Supreme Court of Florida to enter an order to show cause why respondent should not be held in contempt of this Court's Order entered in Supreme Court Case Numbers SC18-32 and SC18-1168 and disbarred. In support of this Petition, The Florida Bar states:

1. On July 11, 2019, in Supreme Court Case No. SC18-32, this Court suspended respondent for six months. Additionally, on that same date, in Supreme Court Case No. SC18-1168, this Court suspended respondent for one year.
2. As a result of this Court's Orders, respondent's suspension became effective on August 12, 2019.

COUNT I

3. On August 12, 2019, respondent filed in the Circuit Court of Orange County “Respondent’s Motion for Relief from August 9, 2019 Order Based Upon the Undersigned’ [sic] Emergency Surgery and Temporary Medical Incapacitation Under Oath.”

4. In his motion, respondent attempts to explain to that court that his failure to appear at an August 8, 2019, hearing, in Orange County Circuit Court case number 2003-DR-017887.

5. At no time did respondent inform the Orange County Circuit Court, or any either of the parties, including his client, that he had been suspended from the practice of law effective August 12, 2019.

6. As a result of the foregoing, on August 19, 2019, the Bar wrote a letter to respondent, sent to respondent’s record Bar e-mail address, asking for his response to the inquiry regarding his motion.

7. The Bar requested a response by September 3, 2019. A copy of the letter is attached hereto as Exhibit “A.”

8. On August 19, 2019, the Bar received respondent’s auto response indicating he was on medical leave and would return on August 26, 2019.

9. Respondent’s auto-response made no mention of his suspension. A copy of respondent’s auto-response e-mail is attached hereto as Exhibit “B.”

10. Thereafter, respondent failed to respond to the Bar's inquiry.

11. On September 9, 2019, the Bar again wrote to respondent, via a letter sent to respondent's record Bar e-mail address. In that correspondence, the Bar requested a response by September 20, 2019. A copy of the Bar's letter is attached hereto as Exhibit "C."

12. The e-mail transmitting the Bar's September 9, 2019, letter is attached hereto as Exhibit "D."

13. To date, respondent has failed to respond or to make any effort to contact The Florida Bar regarding this matter.

COUNT II

14. In the order of suspension in Supreme Court Case No. SC18-32, respondent was ordered to comply with R. Regulating Fla. Bar 3-5.1(h) 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.

15. On July 15, 2019, The Florida Bar notified respondent of the conditions associated with his suspension to his record Bar address and email, specifically the requirement that he submit the sworn affidavit pursuant to Rule 3-5.1(h). The letter was returned to sender. The July 15, 2019, letter and email from

The Florida Bar to respondent and returned letter are attached hereto as Composite Exhibit “E.”

16. On July 17, 2019, The Florida Bar again notified respondent of the conditions associated with his suspension to his record Bar address and email, specifically the requirement that he submit the sworn affidavit pursuant to Rule 3-5.1(h). The letter was returned to sender. The July 17, 2019, letter and email from The Florida Bar to respondent and returned letter are attached hereto as Composite Exhibit “F.”

17. On August 14, 2019, The Florida Bar notified respondent of his noncompliance with the conditions of his suspension to his record Bar address and email, specifically his failure to submit the sworn affidavit pursuant to Rule 3-5.1(h). The letter was returned to sender. The August 14, 2019, letter and email from The Florida Bar to respondent and returned letter are attached hereto as Composite Exhibit “G.”

18. 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.

19. 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).

COUNT III

20. In the order of suspension in Supreme Court Case No. SC18-1168, respondent was ordered to comply with R. Regulating Fla. Bar 3-5.1(h) 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.

21. On July 15, 2019, The Florida Bar notified respondent of the conditions associated with his suspension to his record Bar address and email, specifically the requirement that he submit the sworn affidavit pursuant to Rule 3-5.1(h). The letter was returned to sender. The July 15, 2019, letter and email from The Florida Bar to respondent and returned letter are attached hereto as Composite Exhibit “H.”

22. On August 14, 2019, The Florida Bar notified respondent of his noncompliance with the conditions of his suspension to his record bar address and email, specifically his failure to submit the sworn affidavit pursuant to Rule 3-5.1(h). The letter was returned to sender. The August 14, 2019, letter and email from The Florida Bar to respondent and returned letter are attached hereto as Composite Exhibit “I.”

23. 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.

24. 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).

25. Due to respondent's non-compliance with this Court's order dated July 11, 2019, The Florida Bar was obligated to file this Petition for Contempt for noncompliance.

26. 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, The Florida Bar, respectfully requests this Court enter its Order compelling Respondent to show cause why he should not be held in contempt of this Court's Order and disbarred.

Respectfully submitted,



Carlos Alberto Leon, Bar Counsel
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300
(850) 561-5845
Florida Bar No. 98027
cleon@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, with a copy provided via portal email to Respondent, jaxlawfl@aol.com, with another copy to Respondent, whose record Bar address is P.O. Box 40091, Jacksonville, Florida, 32203-0091, via United States Mail, Certified Mail No. 7017 1450 0000 7821 0070, return receipt requested, and to Patricia Ann Toro Savitz, Staff Counsel, psavitz@floridabar.org, on this 4th day of October 2019.



Carlos Alberto Leon, Bar Counsel

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

PLEASE TAKE NOTICE that the trial counsel in this matter is Carlos Alberto Leon, Bar Counsel, whose address, telephone number, and primary email address are The Florida Bar, 651 East Jefferson Street, Tallahassee, Florida, 32399-2300, (850)561-5845, cleon@floridabar.org. Respondent need not address pleadings, correspondence, etc., in this matter to anyone other than trial counsel and to Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar, 651 E Jefferson Street, Tallahassee, Florida, 32399-2300, psavitz@flabar.org.



The Florida Bar

Tallahassee Branch Office
651 East Jefferson Street
Tallahassee, Florida 32399-2300
(850) 561-5845

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

August 19, 2019

VIA E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson Jr.
Attorney At Law
PO Box 40091
Jacksonville, FL 32203-0091

Re: Complaint of The Florida Bar against Earl Mayberry Johnson Jr.
The Florida Bar File No. 2020-00,093(4B)

Dear Mr. Johnson:

Please see correspondence attached which appears to be a motion you filed on August 12, 2019, in the matter of Young v. Woolfork, 2003-DR-017887, in an Orange County case. As you know, your suspension became effective on August 12, 2019, and thus you were not authorized to represent any client starting that day. In addition, I note that your motion, while discussing medical issues, makes no mention of your suspension as required by Rule 3-5.1(h).

Your response to this inquiry is required under the provisions of Rule 4-8.4(g) of the Rules Regulating The Florida Bar, and is due in our office by September 3, 2019. Please review the enclosed Notice of Grievance Procedures regarding submitting your response.

Pursuant to Rule 3-7.1(f), you are required to complete and return the enclosed Certificate of Disclosure form.

Sincerely,

Carlos A. Leon, Bar Counsel

Enclosure

EXHIBIT A

Pursuant to Rule 3-7.1(f) of the Rules Regulating The Florida Bar, you must execute the applicable section of this form and return it to my attention. The rule provides that the nature of the charges be described in the notice to your firm or you may attach a copy of the complaint.

CERTIFICATE OF DISCLOSURE

I HEREBY CERTIFY that on this ____ day of _____, 20__, a true copy of the foregoing disclosure was furnished to _____, a member of my present law firm of _____, and, if different, to _____, a member of the law firm of _____, with which I was associated at the time of the act(s) giving rise to the complaint in The Florida Bar File No. 2020-00,093 (4B).

Earl Mayberry Johnson Jr.

CERTIFICATE OF DISCLOSURE (Corporate/Government Employment)

I HEREBY CERTIFY that on this ____ day of _____, 20__, a true copy of the foregoing disclosure was furnished to _____, my supervisor at _____ (name of agency), with which I was associated at the time of the act(s) giving rise to the complaint in The Florida Bar File No. 2020-00,093 (4B).

Earl Mayberry Johnson Jr.

CERTIFICATE OF NON-LAW FIRM AFFILIATION (Sole Practitioner)

I HEREBY CERTIFY to The Florida Bar on this ____ day of _____, 20__, that I am not presently affiliated with a law firm and was not affiliated with a law firm at the time of the act(s) giving rise to the complaint in The Florida Bar File No. 2020-00,093 (4B).

Earl Mayberry Johnson Jr.

Received Mon 08/19/2019 11:50AM
From Earl M. Johnson Jr., Esq.
Subject Auto Response: The Florida Bar v. Johnson, TFB File No. 2020-00,093(4B)
To Leon, Carlos A
cc
bcc

I am currently on medical leave and scheduled to return on August 26, 2019. Thank you, Earl Johnson

Please note: Florida has very broad public records laws. Many written communications to or from The Florida Bar regarding Bar business may be considered public records, which must be made available to anyone upon request. Your e-mail communications may therefore be subject to public disclosure.



The Florida Bar

Tallahassee Branch Office
651 East Jefferson Street
Tallahassee, Florida 32399-2300
(850) 561-5845

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

September 9, 2019

VIA E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson Jr.
Law Office of Earl M. Johnson, Jr.
PO Box 40091
Jacksonville, FL 32203-0091

Re: Complaint of The Florida Bar against Earl Mayberry Johnson Jr.
The Florida Bar File No. 2020-00,093(4B)OSC

Dear Mr. Johnson:

Enclosed you will find correspondence dated August 15, 2019, requiring your response. Please be advised that a written response is required pursuant to Rule 4-8.4(g) of the Rules Regulating The Florida Bar and your response has not been received.

If your response is not received by September 20, 2019, this matter will be forwarded to the Grievance Committee for a finding of contempt and further investigation.

Sincerely,

Carlos A. Leon, Bar Counsel

Enclosure

Bar # 6040	File # 202000093	Name Johnson, Earl Mayberry Jr.
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Date Created	09/09/2019
Author	Carlos A Leon
Subject	CAMFI Object E-Mail Sent to jaxlawfl@aol.com, CN=Christine Mitchell/O=The Florida Bar,

Notes	<p>The Florida Bar v. Johnson, TFB File No. 2020-00,093(4B)</p> <p>Hello Mr. Johnson: Please see correspondence attached regarding your failure to respond to this matter. Continued failure to respond will result in contempt and suspension. Please see Rule 3-7.11(f)(2).</p> <p>Thank you.</p> <p>10 Day Letter to Respondent - No Response - TFB File - 10 Day Letter to Respondent - No Response - TFB File.doc.pdf</p> <p>Motion filed after Respondent suspended - Object_9B07732_0.PDF</p> <p>15 Day Letter to Respondent - TFB Complainant - 15 Day Letter to Respondent - TFB Complainant.doc.pdf</p> <hr/> <p>Carlos A. León Bar Counsel Tallahassee Branch Lawyer Regulation Phone: 850-561-5696 Fax: 850-561-9419 E-Mail: cleon@floridabar.org</p> <p>The Florida Bar 651 East Jefferson Street Tallahassee, Florida 32399-2300 www.floridabar.org</p> <p>This transmission is intended to be delivered to and read by the named addressee(s) only, and may contain information that is confidential, proprietary, attorney work-product or attorney-client privileged. If this information is received by anyone other than the named addressee (s), such recipient should immediately notify the sender by E-MAIL and by telephone (850) 561-5696 and obtain instructions as to the disposal of the transmitted material. In no event and under no circumstances shall this material be read, used, copied, reproduced, stored or retained by anyone other than the named addressee(s) except with the express and actual consent of the sender</p>
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The Florida Bar

651 E Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.floridabar.org

July 15, 2019

VIA US Mail and E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson, Jr.
Post Office Box 40091
Jacksonville, FL 32203-0091

Re: The Florida Bar v. Earl Mayberry Johnson, Jr.; Supreme Court Case No.: SC18-32
The Florida Bar File No.: 2017-00,465 (4B)

Dear Mr. Johnson:

Pursuant to the order of the Supreme Court of Florida dated July 11, 2019, you were suspended from the practice of law for a period of 1 Year. The effective date of the suspension is August 12, 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 \$4,926.47. Your costs are due in this office no later than August 29, 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**: August 12, 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.).

COMPOSITE EXHIBIT E

Mr. Earl Mayberry Johnson, Jr.

July 15, 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, Earl Mayberry Johnson, Jr., 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. Earl Mayberry Johnson, Jr., SC18-32; The Florida Bar File No. 2017-00,465 (4B).

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.

Earl Mayberry Johnson, Jr.

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

Received Mon 07/15/2019 4:01PM
From Chason, Lisa
Subject Initial Letter
To jaxlawfl@aol.com
cc
bcc

Initial Letter - Johnson.pdf

DInitial Letter - Johnson II.pdf

Mr. Johnson,

Attached please find 2 informational letters regarding the order of the Supreme Court dated July 11, 2019.

Please let me know if you need any further information.

Regards,

Lisa Chason, Compliance Coordinator
Lawyer Regulation
The Florida Bar
651 E Jefferson Street
Tallahassee, FL 32399-2300
Tel: (850) 561-3186
Fax: (850) 561-9403
lchason@floridabar.org



THE FLORIDA BAR
651 EAST JEFFERSON STREET
TALLAHASSEE, FL 32399-2300

Visit our website: www.FloridaBar.org

**The Florida Bar
RECEIVED**

SEP 23 2019

**LEGAL DIVISION
TALLAHASSEE, FLORIDA**

Mr. Earl Mayberry Johnson, Jr.
Post Office Box 40091
Jacksonville, FL 32202-0091

NIXIE 322 DE 1 0009/21/19

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 32399230099 *0938-03693-15-36

3220380091 B021



The Florida Bar

651 E Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.floridabar.org

July 15, 2019

VIA US Mail and E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson, Jr.
Post Office Box 40091
Jacksonville, FL 32203-0091

Re: The Florida Bar v. Earl Mayberry Johnson, Jr.; Supreme Court Case No.: SC18-32
The Florida Bar File No.: 2017-00,465 (4B)

Dear Mr. Johnson:

Pursuant to the order of the Supreme Court of Florida dated July 11, 2019, you were suspended from the practice of law for a period of 6 months. The effective date of the suspension is August 12, 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 \$4,926.47. Your costs are due in this office no later than August 29, 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:** August 12, 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.).

Mr. Earl Mayberry Johnson, Jr.

July 15, 2019

Page 2

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Lisa Chason, Compliance Coordinator
Lawyer Regulation Headquarters

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

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Delinquent Fee Arbitration Award(s)

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

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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.

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STATE OF FLORIDA
COUNTY OF _____

AFFIDAVIT

I, Earl Mayberry Johnson, Jr., after being duly sworn, say:

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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.

Earl Mayberry Johnson, Jr.

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

July 17, 2019
AMENDED

VIA US Mail and E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson, Jr.
Post Office Box 40091
Jacksonville, FL 32203-0091

Re: The Florida Bar v. Earl Mayberry Johnson, Jr.; Supreme Court Case No.: SC18-32
The Florida Bar File No.: 2017-00,465 (4B)

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COMPOSITE EXHIBIT F

Mr. Earl Mayberry Johnson, Jr.

July 17, 2019

Page 2

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

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, Earl Mayberry Johnson, Jr., 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. Earl Mayberry Johnson, Jr., SC18-32; The Florida Bar File No. 2017-00,465 (4B).

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.

Earl Mayberry Johnson, Jr.

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

Received Wed 07/17/2019 9:57AM
From Chason, Lisa
Subject Amended Initial Letter
To jaxlawfl@aol.com
cc
bcc

Initial Letter - Johnson(1).pdf

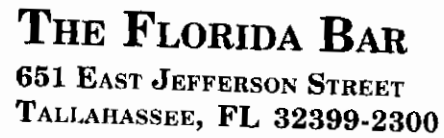
Mr. Johnson,

Attached please find an amended informational letter regarding the order of the Supreme Court dated July 11, 2019.

Please let me know if you need any further information.

Regards,

Lisa Chason, Compliance Coordinator
Lawyer Regulation
The Florida Bar
651 E Jefferson Street
Tallahassee, FL 32399-2300
Tel: (850) 561-3186
Fax: (850) 561-9403
lchason@floridabar.org



Visit our website: www.FloridaBar.org

The Florida Bar
RECEIVED

SEP 23 2019

**LEGAL DIVISION
TALLAHASSEE, FLORIDA**

Mr. Earl Mayberry Johnson, Jr.
Post Office Box 40091
Jacksonville, FL 32202-0091

N I X I E

322 FE 1

0009/21/19

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 32399230099

20938-02196-17-37

[illegible]



The Florida Bar

651 E. Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.floridabar.org

July 17, 2019
AMENDED

VIA US Mail and E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson, Jr.
Post Office Box 40091
Jacksonville, FL 32203-0091

Re: The Florida Bar v. Earl Mayberry Johnson, Jr.; Supreme Court Case No.: SC18-32
The Florida Bar File No.: 2017-00,465 (4B)

Dear Mr. Johnson:

Pursuant to the order of the Supreme Court of Florida dated July 11, 2019, you were suspended from the practice of law for a period of **6 months**. The effective date of the suspension is August 12, 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 \$4,926.47. Your costs are due in this office no later than August 29, 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:** August 12, 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

Mr. Earl Mayberry Johnson, Jr.
July 17, 2019
Page 2

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

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, slightly stylized font.

Lisa Chason, Compliance Coordinator
Lawyer Regulation Headquarters

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

FAILURE TO PAY NOTICE

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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.

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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, Earl Mayberry Johnson, Jr., 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. Earl Mayberry Johnson, Jr., SC18-32; The Florida Bar File No. 2017-00,465 (4B).

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.

Earl Mayberry Johnson, Jr.

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

August 14, 2019

VIA US Mail and E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson, Jr.
PO Box 40091
Jacksonville, FL 32203-0091

Re: The Florida Bar v. Earl Mayberry Johnson, Jr.; Supreme Court Case No.: SC18-32
The Florida Bar File No. 2017-00,465(4B)

Dear Mr. Johnson:

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 by letter and email dated July 15, 2019 and again by amended letter and email dated July 17, 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/mmm

Enclosure - 3-5.1(h) Affidavit

COMPOSITE EXHIBIT G

STATE OF FLORIDA
COUNTY OF _____

AFFIDAVIT

I, Earl Mayberry Johnson, Jr., 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. Earl Mayberry Johnson, Jr., SC18-32; The Florida Bar File No. 2017-00,465(4B).

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.

Earl Mayberry Johnson, Jr.

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

Received Wed 08/14/2019 10:19AM
From Mara, Melissa M
Subject The Florida Bar File No. 2017-00,465(4B)/SC18-32
To jaxlawfl@aol.com
cc
bcc

Mayberry 8-14-19.pdf

Dear Mr. Johnson:

Attached is a letter regarding your noncompliance with the court's order in the above referenced matter. Your prompt attention is required.

Sincerely,

Melissa M. Mara, CP, FRP
Certified Paralegal
Lawyer Regulation Headquarters
The Florida Bar
651 East Jefferson Street
Tallahassee, FL 32399
Tel: (850) 561-5776
Fax: (850) 561-9403
mmara@floridabar.org



THE FLORIDA BAR
651 EAST JEFFERSON STREET
TALLAHASSEE, FL 32399-2300

Visit our web site: www.FLORIDABAR.org

**The Florida Bar
RECEIVED**

SEP 23 2019

**LEGAL DIVISION
TALLAHASSEE, FLORIDA**

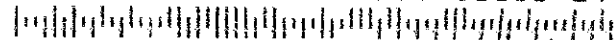
Mr. Earl May
PO Box 4009
Jacksonville,

FWD
32399-2300
3220360091 B021

NIXIE 322 DE 1 0009/21/19

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 32399230099 *0938-08892-14-35





The Florida Bar

651 E Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.floridabar.org

August 14, 2019

VIA US Mail and E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson, Jr.
PO Box 40091
Jacksonville, FL 32203-0091

Re: The Florida Bar v. Earl Mayberry Johnson, Jr.; Supreme Court Case No.: SC18-32
The Florida Bar File No. 2017-00,465(4B)

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You were previously notified of this rule by our Lawyer Regulation - Headquarters office by letter and email dated July 15, 2019 and again by amended letter and email dated July 17, 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

STATE OF FLORIDA
COUNTY OF _____

AFFIDAVIT

I, Earl Mayberry Johnson, Jr., 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. Earl Mayberry Johnson, Jr., SC18-32; The Florida Bar File No. 2017-00,465(4B).

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.

Earl Mayberry Johnson, Jr.

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

July 15, 2019

VIA US Mail and E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson, Jr.
Post Office Box 40091
Jacksonville, FL 32203-0091

Re: The Florida Bar v. Earl Mayberry Johnson, Jr.; Supreme Court Case No.: SC18-1168
The Florida Bar File No.: 2018-00,345 (4B)

Dear Mr. Johnson:

Pursuant to the order of the Supreme Court of Florida dated July 11, 2019, you were suspended from the practice of law for a period of 1 year. The effective date of the suspension is August 12, 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 \$2,289.29. Your costs are due in this office no later than August 29, 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 are also required to pay restitution to Angela Berry in the amount of \$2,090.00 within 6 months of the court's order, to wit: January 7, 2020. You shall provide verifiable proof of payment to this office no later than January 7, 2020. Verifiable proof of payment shall consist of a copy (front and back) of the negotiated check or a copy of the check and certified return receipt. Please be aware that failure to provide verifiable proof of payment to our office by January 7, 2020, will result in you being deemed a delinquent member of The Florida Bar, See Rule 1-3.6, Rules Regulating The Florida Bar. Cure of the delinquency will include providing verifiable proof of payment, a Petition for Removal of Restitution Delinquency and a \$150.00 reinstatement fee.

COMPOSITE EXHIBIT H

Mr. Earl Mayberry Johnson, Jr.

July 15, 2019

Page 2

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:** August 12, 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.).

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.

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Delinquent Costs

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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

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STATE OF FLORIDA
COUNTY OF _____

AFFIDAVIT

I, Earl Mayberry Johnson, Jr., 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. Earl Mayberry Johnson, Jr., SC18-1168; The Florida Bar File No. 2018-00,345 (4B).

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

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FURTHER AFFIANT SAYETH NOT.

Earl Mayberry Johnson, Jr.

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

Received Mon 07/15/2019 4:01PM
From Chason, Lisa
Subject Initial Letter
To jaxlawfl@aol.com
cc
bcc

Initial Letter - Johnson.pdf

DInitial Letter - Johnson II.pdf

Mr. Johnson,

Attached please find 2 informational letters regarding the order of the Supreme Court dated July 11, 2019.

Please let me know if you need any further information.

Regards,

Lisa Chason, Compliance Coordinator
Lawyer Regulation
The Florida Bar
651 E Jefferson Street
Tallahassee, FL 32399-2300
Tel: (850) 561-3186
Fax: (850) 561-9403
lchason@floridabar.org



THE FLORIDA BAR
651 EAST JEFFERSON STREET
TALLAHASSEE, FL 32399-2300

Visit our website: www.FloridaBar.org

The Florida Bar
RECEIVED

SEP 23 2019

LEGAL DIVISION
TALLAHASSEE, FLORIDA

Mr. Earl Mayberry Johnson, Jr.
Post Office Box 40091
Jacksonville, FL 32203-0091

NIXIE

322 DE 1

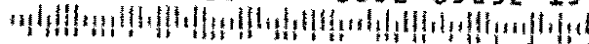
0009/21/19

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 32399230099

*0098-03692-15-36

32399230099
3220330091 B021





The Florida Bar

651 E Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.floridabar.org

July 15, 2019

VIA US Mail and E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson, Jr.
Post Office Box 40091
Jacksonville, FL 32203-0091

Re: The Florida Bar v. Earl Mayberry Johnson, Jr.; Supreme Court Case No.: SC18-1168
The Florida Bar File No.: 2018-00,345 (4B)

Dear Mr. Johnson:

Pursuant to the order of the Supreme Court of Florida dated July 11, 2019, you were suspended from the practice of law for a period of 1 year. The effective date of the suspension is August 12, 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 \$2,289.29. Your costs are due in this office no later than August 29, 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 are also required to pay restitution to Angela Berry in the amount of \$2,090.00 within 6 months of the court's order, to wit: January 7, 2020. You shall provide verifiable proof of payment to this office no later than January 7, 2020. Verifiable proof of payment shall consist of a copy (front and back) of the negotiated check or a copy of the check and certified return receipt. Please be aware that failure to provide verifiable proof of payment to our office by January 7, 2020, will result in you being deemed a delinquent member of The Florida Bar. See Rule 1-3.6, Rules Regulating The Florida Bar. Cure of the delinquency will include providing verifiable proof of payment, a Petition for Removal of Restitution Delinquency and a \$150.00 reinstatement fee.

Mr. Earl Mayberry Johnson, Jr.
July 15, 2019
Page 2

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:** August 12, 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.).

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, Earl Mayberry Johnson, Jr., 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. Earl Mayberry Johnson, Jr., SC18-1168; The Florida Bar File No. 2018-00,345 (4B).

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.

Earl Mayberry Johnson, Jr.

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

August 14, 2019

VIA US Mail and E-Mail to jaxlawfl@aol.com

Mr. Earl Mayberry Johnson, Jr.
PO Box 40091
Jacksonville, FL 32203-0091

Re: The Florida Bar v. Earl Mayberry Johnson, Jr.; Supreme Court Case No.: SC18-1168
The Florida Bar File No. 2018-00,345(4B)

Dear Mr. Johnson:

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 July 15, 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/mmm

Enclosure - 3-5.1(h) Affidavit

COMPOSITE EXHIBIT I

STATE OF FLORIDA
COUNTY OF _____

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Earl Mayberry Johnson, Jr.

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

Received Wed 08/14/2019 10:29AM
From Mara, Melissa M
Subject The Florida Bar File No. 2018-00,345(4B)/SC18-1168
To jaxlawfl@aol.com
cc
bcc

Johnson 8-14-19.pdf

Dear Mr. Johnson:

Attached is a letter regarding your noncompliance with the court's order in the above referenced matter. Your prompt attention is required.

Sincerely,

Melissa M. Mara, CP, FRP
Certified Paralegal
Lawyer Regulation Headquarters
The Florida Bar
651 East Jefferson Street
Tallahassee, FL 32399
Tel: (850) 561-5776
Fax: (850) 561-9403
mmara@floridabar.org



THE FLORIDA BAR
651 EAST JEFFERSON STREET
TALLAHASSEE, FL 32399-2300

Visit our web site: www.FLORIDABAR.org

**The Florida Bar
RECEIVED**

SEP 23 2019

**LEGAL DIVISION
TALLAHASSEE, FLORIDA**

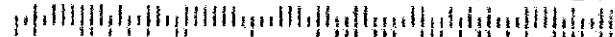
Mr. Earl May
PO Box 4009
Jacksonville,

FND F
3220380091 B021

NIXIE 322 FE 1 0009/21/19

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 32399230099 *0938-08893-14-35





The Florida Bar

651 E Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

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August 14, 2019

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Associate Director of Lawyer Regulation

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COUNTY OF _____

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Print/type/stamp commission name of notary

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Return to:
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