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IN THE SUPREME COURT OF FLORIDA

The Florida Bar,
Petitioner,

Supreme Court Case
No. SC17-1730

v.

The Florida Bar File
Nos. 20162055(6A); 20162056(6A)

David S. Warman a/k/a David Warman,

Respondent.

**THE FLORIDA BAR'S MOTION FOR CLARIFICATION OF THIS
COURT'S JUNE 20, 2018 ORDER CONCERNING PROBATION**

The Florida Bar, by and through its undersigned attorney, moves this Court for clarification of its June 20, 2018 order in this case concerning probation ordered for Respondent, and in support of this motion states as follows:

On June 20, 2018, this Court issued its order approving the uncontested report of referee in part and found Respondent David S. Warman a/k/a David Warman guilty of indirect criminal contempt for violating this Court's previous order in *The Florida Bar v. Warman Financial Service, Inc.*, 933 So. 2d 523 (Fla. 2006).

In the June 20, 2018 order, this Court also modified the referee's recommended sentence as follows:

[W]e modify the referee's recommended sentence that Respondent be confined to jail for a period of sixty days,

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and instead Respondent is placed on probation for five months **subject to the probationary supervision of Professional Probation Services Inc.** and will pay the costs for such probationary supervision. (emphasis added).

As a condition of probation, Respondent is sentenced to sixty days in the Pinellas County jail. However, the jail sentence shall be suspended pending completion of probation, **including abiding by all the conditions of probation.**” (emphasis added).

This Court’s June 20, 2018 order noted that Respondent is subject to the probationary supervision of Professional Probation Services. Respondent resides in Pinellas County, Florida, for part of the year and resides in Hendersonville, North Carolina for the other part of the year. The misdemeanor probation for Pinellas County is not administered through Professional Probation Services but instead is administered through the Pinellas County Sheriff’s Office Misdemeanor Probation Unit, 14500 49th Street North, Suite 130, Clearwater, FL 33762.¹

This Court’s June 20, 2018 order also did not specify the conditions of Respondent’s probation, including any requirement that Respondent perform a specific number of hours of community service within a specific time frame.

WHEREFORE, The Florida Bar requests that this Court clarify its June 20, 2018 order in this case concerning the terms and conditions of probation ordered for Respondent.

¹ Pinellas County Sheriff’s Office Misdemeanor Probation, www.pcsoweb.com/misdemeanor-probation-information (last visited 06/21/18); Florida Association of Community Corrections, www.facc-net.org/county-probation-directory (last visited 06/21/18).

/s/ Maria L. Torres
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CERTIFICATE OF SERVICE

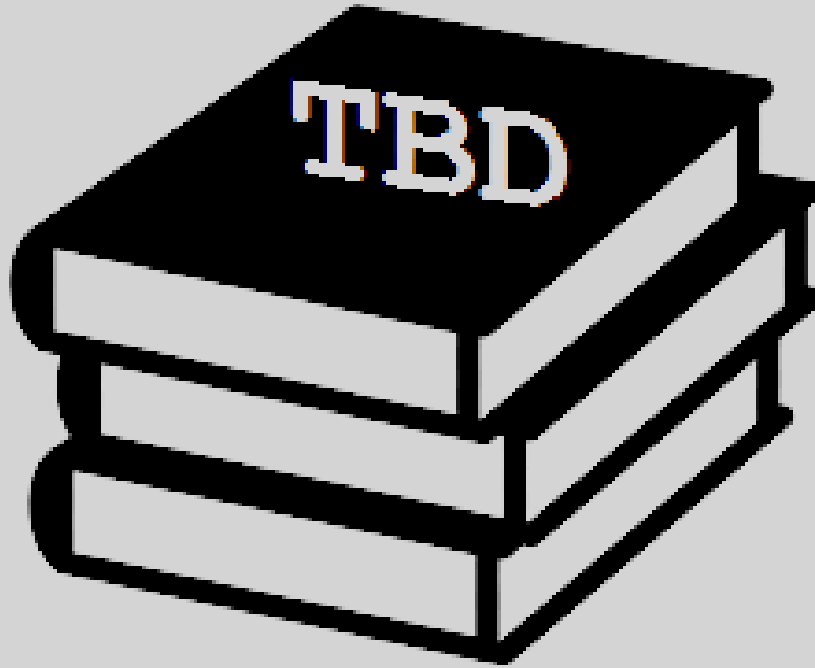
I hereby certify that the foregoing THE FLORIDA BAR'S MOTION FOR CLARIFICATION OF THIS COURT'S JUNE 20, 2018 ORDER CONCERNING PROBATION was filed with the Clerk of the Supreme Court of Florida using the E-Filing portal; with a copy to the Honorable Walter David Logan, Referee, Attn: Jennifer Parker, Esq., Sixth Judicial Circuit, 501 1st Avenue North, Suite 1000, St. Petersburg, FL 33701 and via e-mail to the Referee at jparker@jud6.org; with a copy by regular U.S. Mail to David S. Warman at 725 73rd Ave North, St. Petersburg, FL 33702 and at 618 East Sunset Drive, Hendersonville, NC 28791-2098 and via e-mail at dswarman@gmail.com; and a copy has been sent to William A. Spillias, UPL Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300, via e-mail at wspillias@floridabar.org, on June 26, 2018.

/s/ Maria L. Torres
Maria L. Torres
Bar Counsel

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