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IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

STEPHEN GUTIERREZ,

Respondent.

Supreme Court Case
No. SC19-562

The Florida Bar File
No. 2018-70,160 (11J)

_____ /

THE FLORIDA BAR'S MOTION FOR CORRECTED ORDER

The Florida Bar, by and through its undersigned counsel, files this Motion for Corrected Order regarding this Court's February 26, 2020 Order, and in support thereof states as follows:

1. On February 26, 2020, this Court entered an Order in the above captioned matter stating that "the Report of Referee is approved in its entirety". The Order went on to state that in addition to a 91-day suspension, "Upon his reinstatement, respondent shall be placed on probation for two years under the terms and conditions set forth in the Report of Referee and consent judgment." (A copy of this Court's February 26, 2020 Order is attached as Exhibit "A".)

2. However, neither the Report of Referee nor the consent judgment provides for the probation period to commence upon reinstatement. Rather, both provide that respondent shall be placed on probation for a period of two years, a

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special condition of which is that respondent shall sign a contract with Florida Lawyer's Assistance, Inc. within thirty days of a Court Order approving the consent judgment, and shall be monitored by Florida Lawyer's Assistance, Inc. for a minimum of two years. Consequently, the probationary period was to commence immediately and not upon reinstatement. (Copies of the consent judgment and Report of Referee are attached as Exhibits "B" and "C", respectively.)

WHEREFORE, The Florida Bar respectfully requests entry of a corrected order providing for respondent's probationary period to commence immediately upon entry of a corrected order.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that the foregoing The Florida Bar’s Motion for Corrected Order 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 provided via email to sg@sglawfirms.com and to Patricia Ann Toro Savitz, Staff Counsel, via email at psavitz@floridabar.org, on this 4th day of March, 2020.



Keri T. Joseph, Bar Counsel

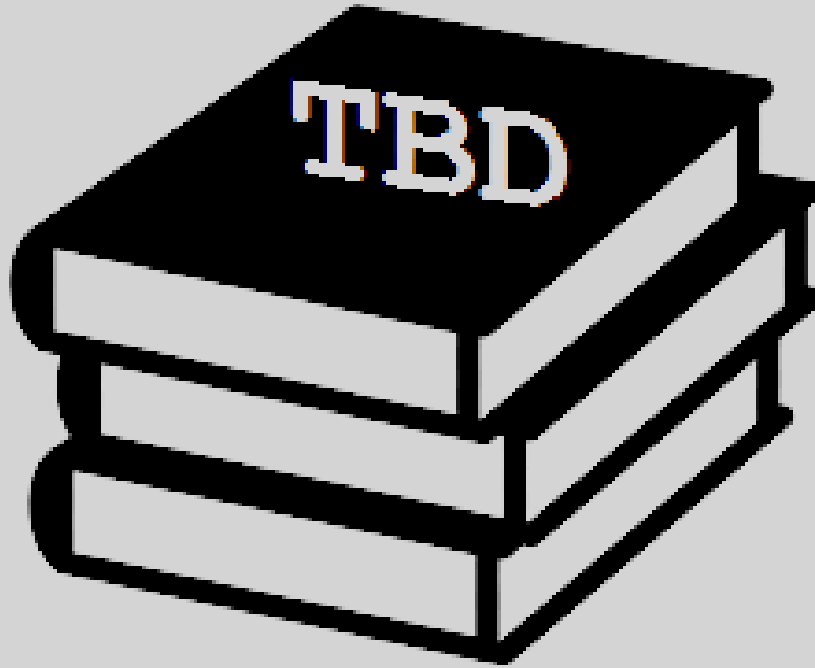


Rita Florez, Bar counsel

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