

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

PETER G. STAMAS,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2016-50,719(17A)OSC

PETITION FOR CONTEMPT AND ORDER TO SHOW CAUSE

COMES NOW, The Florida Bar, by and through its undersigned attorney, pursuant to Rule 3-7.7(g), and petitions the Supreme Court of Florida to enter an order to show cause why the respondent herein should not be held in contempt of this Court's order entered in Supreme Court Case Number SC15-1110 and why he should not be disbarred from the practice of law. In support of its Petition, The Florida Bar would show as follows:

1. On August 18, 2015, the Supreme Court of Florida granted The Florida Bar's Petition for Contempt and Order to Show Cause in Case No. SC15-1110.

(Exhibit A)

2. As a sanction, the respondent was suspended from the practice of law effective thirty days from the date of the Order so that respondent can close out his

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practice and protect the interests of existing clients. Such Order became effective on or about September 17, 2015.

3. In addition, 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 his suspension order.

4. Respondent failed to submit the affidavit pursuant to Rule 3-5.1(h), Rules Regulating The Florida Bar. (**Exhibit B**)

5. 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).

6. In addition, respondent was prohibited from accepting new business from the date of the August 18, 2015 Order until he is reinstated. Once the suspension takes effect, respondent remained suspended until further order of this Court

7. As of September 17, 2015, respondent has been prohibited from engaging in the practice of law in Florida.

8. Notwithstanding his status as a suspended attorney, respondent has continued to engage in the active practice of law.

9. On September 23, 2015, respondent filed a Notice of Appearance dated September 22, 2015 on behalf of Crystal Burrows in the case of *State of Florida v.*

Crystal Burrows, in the County Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, Case No. 15-008256MM10A. **(Exhibit C)**

10. On October 19, 2015, respondent filed a Notice of Appearance, Entry of Plea of Not Guilty, Request Copy of the Charges and Demand Discovery on behalf of Wilmington Toussaint in the case of *State of Florida v. Wilmington Toussaint*, in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, Case Nos. F14-17337 and F15-008706. **(Exhibit D)**

11. On July 28, 2014, respondent filed a Notice of Appearance on behalf of Devin Hicks in the case of *State of Florida v. Devin Hicks*, in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, Case No. 13-010619CF10A. **(Exhibit E)**

12. On September 10, 2015, the trial court entered an Order in open court that a Status Conference would be held on October 29, 2015 at 10:30 a.m. The Order reflects that a copy of the Order was provided in open court to “Defense Attorney.” **(Exhibit F)**

13. On October 29, 2015, the trial court entered an Order in open court that a Status Conference would be held on November 12, 2015 at 10:30 a.m. The Order reflects that a copy of the Order was mailed to “Defense Attorney.” **(Exhibit G)**

14. On November 12, 2015, the trial court entered an Order in open court that a Status Conference would be held on December 17, 2015 at 10:30 a.m. The Order reflects that a copy of the Order was mailed to “Defense Attorney.” **(Exhibit H)**

15. On December 17, 2015, the trial court entered an Order in open court that a Status Conference would be held on February 4, 2016 at 10:30 a.m. The Order reflects that a copy of the Order was provided in “Open Court” to “Defense Attorney.” **(Exhibit I)**

16. On February 4, 2016, the trial court entered an Order in open court that a Status Conference would be held on February 25, 2016 at 10:30 a.m. The Order reflects that a copy of the Order was provided in “Open Court” to “Defense Attorney.” **(Exhibit J)**

17. On February 25, 2016, the trial court entered an Order in open court that a Status Conference would be held on March 10, 2016 at 10:30 a.m. The Order reflects that a copy of the Order was mailed to “Defense Attorney.” **(Exhibit K)**

18. On March 1, 2016, the Clerk of Court mailed a Notice that the matter had been set for a Hearing/Status Conference for April 7, 2016 at 9:30 a.m. A copy of the Notice was mailed to the respondent at 315 SE 7 Street, Suite 301, Fort Lauderdale, FL 33301-3158. **(Exhibit L)**

19. On April 7, 2016, the trial court entered an Order in open court that a Status Conference would be held on April 8, 2016 at 9:30 a.m. The Order reflects that

a copy of the Order was provided in “Open Court” to “Defense Attorney.” (**Exhibit M**)

20. On April 8 2016, the trial court entered an Order in open court that a Status Conference would be held on May 12, 2016 at 9:30 a.m. The Order reflects that a copy of the Order was provided in “Open Court” to “Defense Attorney.” (**Exhibit N**)

21. On April 8, 2016, the trial court granted the “Defense Motion to Withdraw Attorney.” The trial court withdrew the respondent as counsel and appointed the Public Defender’s Office. (**Exhibit O**)

22. The respondent continued to represent Mr. Hicks beyond his suspension date. The respondent failed to withdraw from the case and failed to inform his client of his suspension.

23. On September 1, 2015, the respondent filed a pleading entitled “Defense Written Plea of Not Guilty and Defense Demand for Trial by Jury” in the case of *State of Florida v. Miguel Lewis*, Case No. 15-2791MM40A, in the County Court in and for Broward County, Florida. (**Exhibit P**)

24. On September 5, 2015, the Clerk of Court mailed a Notice that the matter had been set for a Calendar Call on September 25, 2015 at 8:30 a.m. A copy of the Notice was mailed to the respondent at 315 SE 7 Street, Suite 301, Fort Lauderdale, FL 33301-3158. (**Exhibit Q**)

25. On October 1, 2015, the trial court entered an Order in open court that a Calendar Call would be held on October 30, 2015 at 8:30 a.m. The Order reflects that a copy of the Order was provided in “Open Court” to “Defense Attorney.” **(Exhibit R)**

26. On October 30, 2015, the trial court entered an Order in open court that a Calendar Call would be held on December 10, 2015 at 8:30 a.m. The Order reflects that a copy of the Order was provided in “Open Court” to “Defense Attorney.” **(Exhibit S)**

27. The respondent accepted new business after the August 18, 2015 Order. The respondent continued to represent Mr. Lewis after his suspension date. The respondent failed to withdraw from the case and failed to inform his client of his suspension.

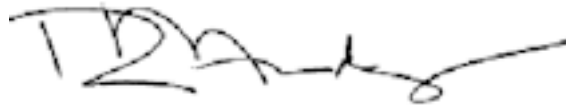
28. Clear violation of any order or disciplinary status that denies an attorney the license to practice law is generally punishable by disbarment, absent strong extenuating circumstances. The Florida Bar v. Bitterman, 33 So. 3d 686 (Fla. 2010); The Florida Bar v. Walkden, 950 So. 2d 407 (Fla. 2007); The Florida Bar v. Rood, 678 So. 2d 1277 (Fla. 1996); and The Florida Bar v. McAtee, 674 So. 2d 734 (Fla. 1996).

29. As no extenuating circumstances exist in the instant case and because respondent’s clear purpose was to retain his status and benefits as a lawyer, respondent should be compelled to show cause why he should not be held in contempt of this Court, and disbarred immediately from the practice of law.

30. 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 an order ordering the respondent to show cause why he should not be held in contempt of this Court's August 18, 2015 Order and disbarred from the practice of law in Florida for his contempt of this Court.

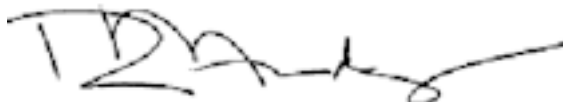
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Roberto Mendez', with a long horizontal flourish extending to the right.

Roberto Mendez, Bar Counsel
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CERTIFICATE OF SERVICE

I certify that this Petition For Contempt And Order To Show Cause has been Efiled with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida with a copy provided via email to Peter G. Stamas, Respondent, at pete@stamaslaw.com; using the Efiling Portal and that a copy has been furnished by United States Mail via certified mail No. 7011 2970 0003 0076 2928, return receipt requested, to Peter G. Stamas, Respondent, whose record bar address is 315 SE 7th Street, Suite 301, Fort Lauderdale, Florida 33301-3158, and to Staff Counsel, The Florida Bar, via email at aquintel@flabar.org, on this 8th day of June, 2016.

A handwritten signature in black ink, appearing to read 'Roberto Mendez', with a long horizontal flourish extending to the right.

Roberto Mendez, Bar Counsel

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

PLEASE TAKE NOTICE that the trial counsel in this matter is Roberto Mendez, Bar Counsel, whose address, telephone number and primary and secondary email addresses are The Florida Bar, Ft. Lauderdale Branch Office, Lake Shore Plaza II, 1300 Concord Terrace, Suite 130, Sunrise, Florida 33323, (954) 835-0233 and rmendez@flabar.org and dmacha@flabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Staff Counsel, The Florida Bar, Lakeshore Plaza II, Suite 130, 1300 Concord Terrace, Sunrise, Florida 33323, aquintel@flabar.org.