

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Petitioner,

v.

DENNIS L. HORTON,

Respondent.

Supreme Court Case
No. SC17-782

The Florida Bar File
No. 2017-30,371 (7B) (CES)

SUPPLEMENTAL REPORT OF REFEREE

I. SUMMARY OF PROCEEDINGS

Pursuant to the undersigned being duly appointed as referee to conduct disciplinary proceedings herein according to Rule 3-7.6, Rules of Discipline, the following proceedings occurred:

On August 29, 2019, the Supreme Court of Florida issued its order in this matter immediately disbaring respondent from the practice of law. On August 29, 2019, the Supreme Court of Florida, by separate order, forwarded to the undersigned referee for a determination of The Florida Bar's Second Motion to Assess Costs, Respondent's Objection to Motion to Tax Costs, and The Florida Bar's Response to Respondent's Objection to Motion to Tax Costs. Because respondent did not request a hearing, none was held. All items properly filed including pleadings, recorded testimony (if transcribed), exhibits in evidence and

the report of referee constitute the record in this case and are forwarded to the Supreme Court of Florida.

II. FINDINGS OF FACT

Jurisdictional Statement. Respondent is, and at all times mentioned during this investigation was, a member of The Florida Bar, subject to the jurisdiction and Disciplinary Rules of the Supreme Court of Florida.

Narrative Summary Of Case.

A. On October 20, 2017, The Florida Bar filed its Motion to Assess Costs pursuant to Rule 3-7.6(q) of the Rules Regulating The Florida Bar seeking an assessment against respondent for costs incurred in the total amount of \$20,678.93.

B. On March 20, 2019, The Florida Bar filed its Second Motion to Assess Costs, seeking an assessment against respondent of costs incurred that included additional appellate costs for a new total amount of \$25,034.96.

C. On April 1, 2019, respondent filed an Objection to Motion to Tax Costs.

D. On April 1, 2019, The Florida Bar filed its Response to Respondent's Objection to Tax Costs, clarifying that it was seeking payment of the costs incurred in obtaining the transcripts required to be filed with its Initial Brief.

E. Respondent did not request a hearing on the bar's motion.

F. Pursuant to R. Regulating Fla. Bar 3-7.7(c)(1), 3-737(c)(6)(b)(i), and 3-7.6(q), it is appropriate to tax these additional costs against respondent.

III. RECOMMENDATIONS.

I recommend that the costs in the amount of \$25,034.96 be taxed against respondent as set forth more fully below.

IV. STATEMENT OF COSTS AND MANNER IN WHICH COSTS SHOULD BE TAXED

I find the following costs were reasonably incurred by The Florida Bar:

Investigative Costs	\$3,258.90
Court Reporters' Fees	\$6,454.86
Copy Costs	\$137.57
Bar Counsel Costs	\$954.67
Audit Costs	\$12,942.96
Administrative Fee	\$1,250.00
Referee Costs	\$36.00

TOTAL	\$25,034.96
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It is recommended that such costs be charged to respondent and that interest at the statutory rate shall accrue and be deemed delinquent 30 days after the judgment in this case becomes final unless paid in full or otherwise deferred by the Board of Governors of The Florida Bar.

Dated this 24th day of October, 2019.



PHILLIP A. PENA
Referee

Original To:

Clerk of the Supreme Court of Florida; Supreme Court Building; 500 South Duval Street, Tallahassee, Florida, 32399-1927

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