

IN THE SUPREME COURT OF FLORIDA  
Before a Referee

THE FLORIDA BAR,

Complainant,

Case No: SC17-782

v.

DENNIS L. HORTON,

Respondent.

\_\_\_\_\_/

**MOTION FOR EXTENSION OF TIME  
TO FILE REPORT OF REFEREE**

Respondent, DENNIS L. HORTON, through undersigned counsel,  
respectfully requests entry of an Order extending the time for the filing of the  
Report of Referee until November 9, 2017, and he states:

1. This is a proceeding under Rule 3-5.2, R. Regulating Fla. Bar.
2. The current deadline for filing the Report of Referee is August 9, 2017.
3. Respondent requests an extension of 90 days, to November 9, 2017, so  
that the parties can complete discovery, adequately prepare for trial, prepare for  
sanctions hearing if necessary, and pursue potential compromise.
4. Undersigned counsel's trial calendar is quite full for July 2017, with a  
Formal Hearing set before the Board of Bar Examiners in Coral Gables on July 15,  
the trial of this case currently set for July 20-21 in Tavares, and the trial of another  
attorney disciplinary proceeding set for July 25-26 in Fort Myers. Due to this

travel and trial schedule, the undersigned represented to the Referee, the Hon. Phillip A. Pena, that he cannot adequately prepare Respondent's defense, given the limited time frame of a proceeding under Rule 3-5.2.

5. Accordingly, the Referee granted Respondent's motion to continue the trial, and the parties and Court agreed to reset the trial for August 24 and 25, 2017, conditioned on Respondent signing, and the Referee approving, a written waiver under Rule 3-5.2(n).

6. The signed and approved Waiver is attached hereto.

7. Respondent filed a motion to bifurcate the case into a guilt phase and a sanctions phase if necessary; the Bar did not object to that, and the Referee granted the motion. If a sanctions hearing is held, it will likely have to be held sometime in September, giving the Referee sufficient time to file his Report under the new, proposed deadline of November 9, 2017.

8. Counsel for The Florida Bar wishes it to be noted that she objects to this motion.

WHEREFORE, the Respondent, DENNIS L. HORTON, respectfully moves this Honorable Court for entry of an Order extending the deadline for filing the Report of Referee to November 9, 2017.

Respectfully submitted,

s/ *Brett Alan Geer*

BRETT ALAN GEER  
The Geer Law Firm, L.C.  
3030 N. Rocky Point Drive W., #150  
Tampa, Florida 33607-7200  
(813) 961-8912  
(813) 265-0278 Facsimile  
Florida Bar No. 61107  
brettgeer@geerlawfirm.com  
info@geerlawfirm.com

**CERTIFICATE OF SERVICE**

I CERTIFY that this paper was efiled through the portal and emailed to the referee, Hon. Phillip A. Pena, and served per Rule 2.516 to clec@floridabar.org, mcasco@floridabar.org, aquintel@floridabar.org, avanstru@floridabar.org, at The Florida Bar, 561 E. Jefferson Street, Tallahassee, Florida 32399 on July 13, 2017.

s/ *Brett Alan Geer*

BRETT ALAN GEER

IN THE SUPREME COURT OF FLORIDA  
Before a Referee

THE FLORIDA BAR,

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Case No: SC17-782

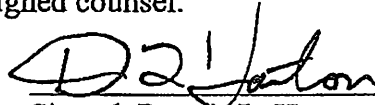
v.

DENNIS L. HORTON,

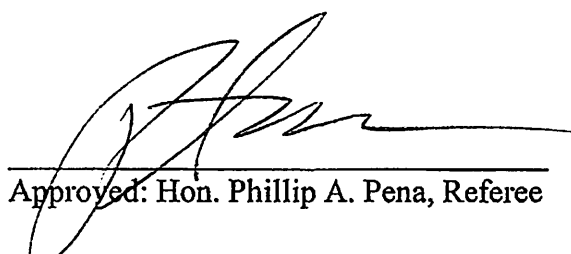
Respondent.

NOTICE OF WAIVER

PLEASE TAKE NOTICE the Respondent, DENNIS L. HORTON, through undersigned counsel and pursuant to Rule 3-5.2(n), R. Regulating Fla. Bar, hereby waives his right to have his case heard within the time requirements set forth in Rule 3-5.2 and he requests approval by the Referee assigned to hear this matter, by his signature hereon below. The Referee has previously indicated his approval of a waiver made verbally in court by undersigned counsel.

  
Signed: Dennis L. Horton

Dated: July 11, 2017

  
Approved: Hon. Phillip A. Pena, Referee

CERTIFICATE OF SERVICE

I CERTIFY that this paper was served by email to the Referee, Hon. Phillip

Pena, and per Rule 2.516 to clee@floridabar.org, mcasco@floridabar.org,  
aquintel@floridabar.org, avanstru@floridabar.org, at The Florida Bar, 561 E.  
Jefferson Street, Tallahassee, Florida 32399 on July 11, 2017.

/s/ Brett Alan Geer  
BRETT ALAN GEER  
Florida Bar Number 61107  
The Geer Law Firm, L.C.  
3030 N. Rocky Point Drive W., #150  
Tampa, Florida 33607-7200  
(813) 961-8912  
brettgeer@geerlawfirm.com  
info@geerlawfirm.com