

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(07B) (CES)

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

COMES NOW, The Florida Bar on behalf of the Honorable Phillip A. Pena, and moves this court for an extension of time for the referee to file his report and says:

1. This court issued its order directing the Chief Judge of the Eighth Judicial Circuit to appoint a referee within 14 days with the report of referee to be filed within 90 days of the order appointing the referee. The Report of Referee was due on or before August 7, 2017.

2. The final hearing was set for July 20, 2017 and July 21, 2017. On July 3, 2017, respondent moved for a continuance of the final hearing and provided a written waiver of the time requirements set forth in rule 3-5.2 which was granted by the referee on July 11, 2017.

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3. On July 13, 2017, respondent moved for an extension of time for the referee to file his report. On July 21, 2017, the Supreme Court of Florida entered its order granting the referee until November 9, 2017 to file his report.

4. The evidentiary hearing was held on August 24 and 25, 2017. The findings of fact and recommendations as to guilt was pronounced by the referee at the telephonic status conference on September 20, 2017. The sanction hearing was held on October 23, 2017.

5. The referee will need additional time to review the testimony and issue his final report with the recommended discipline.

6. The parties have consented to an extension of time, and the referee now requests an additional 20 days to file the report of referee in this matter.

WHEREFORE, The Florida Bar prays, on behalf of the Honorable Phillip A. Pena, this Honorable Court will issue an order granting the referee an extension of time until November 29, 2017 to file his report in this matter.

Respectfully submitted,



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### **CERTIFICATE OF SERVICE**

I certify that this document has been E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, using the E-filing portal; a copy to the Honorable Phillip A. Pena, Alachua County Courthouse, 220 S. Main Street, Gainesville, FL 32601-6538, via email at [wablekc@circuit8.org](mailto:wablekc@circuit8.org), with a copy provided via email to Respondent's Counsel, Brett Alan Geer, The Geer Law Firm, 3030 N. Rocky Point Drive W., Suite 150, Tampa, Florida 33607-7200, at [brettgeer@geerlawfirm.com](mailto:brettgeer@geerlawfirm.com) and a copy to Staff Counsel, The Florida Bar, 1300 Concord Terrace, Suite 130, Sunrise, Florida 33323-2899 at her designated email address of [aquintel@floridabar.org](mailto:aquintel@floridabar.org), this 7th day of November 2017.



Carrie Constance Lee, Bar Counsel