

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

STUART JARED STARR,

Respondent.

Supreme Court Case
No.

The Florida Bar File
No. 2019-90,048(OSC)

**THE FLORIDA BAR'S PETITION FOR CONTEMPT AND ORDER TO
SHOW CAUSE**

Petitioner, The Florida Bar, files its Petition for Contempt and Order to Show Cause and requests a 91-day suspension against respondent, Stuart Jared Starr, and says:

1. In Florida Supreme Court Case No. SC17-187 [The Florida Bar File Nos. 2014-51,288(17B), 2015-51,161(17B), and 2016-50,154(17B)], by order dated May 24, 2018, respondent was suspended for 90 days, effective June 25, 2018.

2. 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 the suspension order.

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3. On May 29, 2018, The Florida Bar notified respondent of the conditions associated with his suspension to his record bar address and email, specifically the requirement that he submit the sworn affidavit pursuant to Rule 3-5.1(h), Rules Regulating The Florida Bar. The letter was returned to sender. See, May 29, 2018, letter and email from The Florida Bar to respondent and returned letter attached hereto as “Composite Exhibit A.”

4. On June 28, 2018, The Florida Bar notified respondent of his noncompliance with the conditions of his suspension to his record bar address and email, specifically his failure to submit the sworn affidavit pursuant to Rule 3-5.1(h). The letter was returned to sender. See, June 28, 2018, letter and email from The Florida Bar to respondent and returned letter attached hereto as “Composite Exhibit B.”

5. Respondent has not submitted the required affidavit containing a list of persons/entities to which he gave notice of his suspension and provided a copy of the order of suspension.

6. 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).

7. Respondent was further ordered to submit to a health examination focused on determining whether respondent’s cognitive abilities are such that he is

able to resume the practice of law. Respondent was required to provide the results of his examination to The Florida Bar no later than September 21, 2018.

8. The Florida Bar notified respondent of the required health examination and due date by letter and email dated May 29, 2018. See, “Composite Exhibit A.”

9. Respondent failed to submit the results of his health examination and The Florida Bar notified respondent of his noncompliance by letter and email dated January 28, 2019. The letter was returned to sender. See, January 28, 2019, letter and email from The Florida Bar to respondent and returned letter attached hereto as “Composite Exhibit C.”

10. As of the date of this filing, respondent has failed to provide the results of his health examination.

11. Due to respondent’s non-compliance with this Court’s order dated May 24, 2018, The Florida Bar was obligated to file this Petition for Contempt for noncompliance.

12. 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, petitioner, The Florida Bar, respectfully requests this Court enter its order directing respondent, Stuart Jared Starr, to show cause why he should not be held in contempt and be suspended for 91 days, comply with the terms of the Court's order in SC17-187 prior to petitioning for reinstatement, and assess costs in the amount of \$1,250.00 to The Florida Bar.

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; with a copy furnished by United States Mail via certified mail No. 7017 0190 0000 0892 2176, return receipt requested to Stuart Jared Starr, Respondent, at his record bar address of 5241 SW 9th Street, Plantation, FL 33317-4712 and by email to sstarlaw@aol.com; and a copy to Adria E. Quintela, Staff Counsel, by email to aquintel@floridabar.org, on this 15th day of February, 2019.



Allison Carden Sackett, Bar Counsel

NOTICE OF DESIGNATION OF PRIMARY EMAIL ADDRESS

PLEASE TAKE NOTICE that bar counsel in this matter is Allison Carden Sackett, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Headquarters, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, (850) 561-5839 and asackett@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than bar counsel and to Staff Counsel, The Florida Bar, Lakeshore Plaza II, Suite 130, 1300 Concord Terrace, Sunrise, Florida 33323, aquintel@floridabar.org.