

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

TIMMY W. COX, SR.,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2019-50,660(17J)

_____ /

COMPLAINT

The Florida Bar, complainant, files this Complaint against Timmy W. Cox Sr., respondent, pursuant to the Rules Regulating The Florida Bar and alleges:

1. Respondent is and was at all times mentioned herein a member of The Florida Bar admitted on December 1, 2014 and is subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent resided and practiced law in Broward County, Florida, at all times material.
3. The Seventeenth Judicial Circuit Grievance Committee “J” found probable cause to file this complaint pursuant to Rule 3-7.4, of the Rules Regulating The Florida Bar, and this complaint has been approved by the presiding member of that committee.

RECEIVED, 11/10/2020 08:50:30 AM, Clerk, Supreme Court

4. On or about February 20, 2019, respondent represented Mark Metellus in a criminal trial before the Honorable Sherwood Bauer, in the Circuit Court of the Nineteenth Judicial Circuit in and for Martin County, Florida Case No. 4317CF000259A.

5. During the course of the trial, a sidebar was held between Judge Bauer, respondent, co-counsel for the defense, and the assistant state attorney.

6. During such sidebar, respondent conducted himself in a disrespectful manner toward Judge Bauer, exhibiting a lack of respect and decorum.

7. Respondent accused Judge Bauer of lacking impartiality.

8. Respondent then moved for a mistrial.

9. During a hearing regarding respondent's motion for mistrial (which was ultimately denied), respondent interrupted the judge over 20 times and continually spoke over the judge.

10. At one point the respondent interrupted the court by stating, "First of all, I am entitled to a record, you may not want me to have a record, but you have been speaking for 93 seconds, I have been counting."

11. When Judge Bauer advised respondent that he was being rude, respondent stated "you're being rude to my client."

12. Respondent's conduct evinced a complete disregard for the dignity and sanctity of the judicial system in general, Judge Bauer in particular.

13. Respondent's conduct was disruptive of the proceedings and prejudicial to the orderly administration of justice.

14. By the conduct set forth above, respondent violated R. Regulating Fla. Bar 3-4.3 [The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline whether the act is committed in the course of the lawyer's relations as a lawyer or otherwise, whether committed within Florida or outside the state of Florida, and whether the act is a felony or a misdemeanor.]; .]; 4-3.5(a) [Influencing Decision Maker. A lawyer shall not seek to influence a judge, juror, prospective juror, or other decision maker except as permitted by law or the rules of court.] 4-3.5(c) [Disruption of Tribunal. A lawyer shall not engage in conduct intended to disrupt a tribunal; 4-8.2(a) [A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, mediator, arbitrator, adjudicatory officer, public legal officer, juror or member of the venire, or candidate for election or appointment to judicial or legal office.]; 4-8.4(a) [A lawyer shall not violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another; and 4-8.4(d) [A lawyer shall not engage in conduct in connection with the practice of law that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage,

humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including, but not limited to, on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation, age, socioeconomic status, employment, or physical characteristic.].

WHEREFORE, The Florida Bar prays respondent will be appropriately disciplined in accordance with the provisions of the Rules Regulating The Florida Bar as amended.



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CERTIFICATE OF SERVICE

I certify that this document has been efiled with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, with a copy provided via email to Timmy W. Cox Sr., at tcox@timwcoxpa.com; and that a copy has been furnished by United States Mail via certified mail No. 7017 3380 0000 1082 7263, return receipt requested to Timmy W. Cox Sr., whose record bar address is Tim W. Cox PA, 7401 SW 16th St, Plantation, FL 33317-4964 and via email to Navin A. Ramnath, Bar Counsel, qramnath@floridabar.org, on this 10th day of November, 2020.



Patricia Ann Toro Savitz
Staff Counsel

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

PLEASE TAKE NOTICE that the trial counsel in this matter is Navin A. Ramnath, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Ft. Lauderdale Branch Office, Lake Shore Plaza II, 1300 Concord Terrace, Suite 130, Sunrise, Florida 33323, (954) 835-0233 and nramnath@floridabar.org; akline@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Staff Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300, psavitz@floridabar.org.

MANDATORY ANSWER NOTICE

RULE 3-7.6(h)(2), RULES REGULATING THE FLORIDA BAR,
PROVIDES THAT A RESPONDENT SHALL ANSWER A COMPLAINT.