

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant,

Supreme Court Case
No. SC20-1842

v.

The Florida Bar File
No. 2020-00,232(01A)

DAVID LUTHER WOODWARD,

Respondent.

_____ /

**THE FLORIDA BAR'S MOTION TO STRIKE RESPONDENT'S
MOTION/REQUEST FOR ENLARGEMENT OF TIME TO RESPOND TO
THE FLORIDA BAR'S COMPLAINT**

The Florida Bar, by and through its undersigned counsel, hereby files its Motion to Strike Respondent's Motion/Request for Enlargement of Time to Respond to The Florida Bar's Complaint, and would state:

1. The Florida Bar filed its Complaint on December 18, 2020, with the E-filing portal of the Florida Supreme Court and sent the Complaint to Respondent's record Bar email address of dlw@woodpro and via U.S. Mail, certified return receipt, to Respondent's record Bar address of 1415 Lemhurst Road/PO Box 4475, Pensacola, FL 32507-0475.

2. The Court served the Complaint on Respondent at three email addresses via the E-filing Portal on December 18, 2020, including his record Bar email address.

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3. On December 21, 2020, Respondent contacted Bar counsel alleging that he had received an Order from the Court but no attachment and wanted Bar counsel to call him.

4. When Bar counsel called Respondent, it went to voice mail so Bar counsel emailed Respondent explaining what had been filed in the case up to that date, advising him that a Complaint had been filed. See Exhibit A.

5. The Answer to The Florida Bar's complaint was due on January 7, 2020.

6. On December 21, 2020, the Court issued an Order to the Chief Judge of the Fourteenth Circuit to appoint a referee to this disciplinary case, delegating its jurisdiction to the Chief Judge. See Rule 3-7.6(a).

7. On December 21, 2020, the Chief Judge appointed a Referee to this case, sending a copy of Order Appointing a Referee to the Court, Respondent and to Bar counsel.

8. After that date, jurisdiction was at the Referee level and all pleadings should have been filed with the appointed Referee, not the Court. See Rule 3-7.6(h)(5)(B).

9. On January 5, 2021, Respondent filed his Motion requesting an extension of time of 30 days to file his Answer to the Florida Bar's Complaint in the Florida Supreme Court.

10. The Court no longer had jurisdiction to hear Respondent's Motion by January 5, 2021, under the applicable Rule.

WHEREFORE, The Florida Bar respectfully requests that the Court grant The Florida Bar's Motion to Strike Respondent's Motion/Request for Enlargement of Time to Respond to The Florida Bar's Complaint.

Respectfully submitted,



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The Florida Bar
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CERTIFICATE OF SERVICE

I certify that the foregoing document has been furnished via the E-filing portal to The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, to Respondent, David Luther Woodward, at dlw@woodlaw.pro, woodlaw@bellsouth.net, to Referee, Judge Dustin Stephenson at causeyb@jud14.flcourts.org, and to Staff Counsel, Patricia Ann Toro Savitz, The Florida Bar, at psavitz@floridabar.org, on this 13th day of January, 2021.



Olivia Paiva Klein, Bar Counsel