

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

TIMMY W. COX, SR.,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2023-50,020(17C)OSC

_____ /

PETITION FOR CONTEMPT AND ORDER TO SHOW CAUSE

The Florida Bar, petitioner, pursuant to Rule 3-7.11(f), Rules Regulating The Florida Bar, files this Petition for Contempt and Order to Show Cause, and states:

1. A copy of the Grievance Committee Finding of Non-Compliance and Failure to Respond to Official Bar Inquiry and Contempt is attached to this Petition as "**The Florida Bar's Composite Exhibit 1.**"

2. As of the date of the service of this Petition, respondent has failed to respond to an official bar inquiry.

3. The other members of The Florida Bar should not have to pay for respondent's failure to respond to an official bar inquiry and the initiation of the instant proceeding. Therefore, the bar is requesting administrative costs of \$1,250.00 against respondent.

RECEIVED, 08/16/2022 09:50:21 AM, Clerk, Supreme Court

WHEREFORE, The Florida Bar requests that this Court suspend respondent pursuant to Rule 3-7.11(f), until such time as respondent fully responds in writing to the official Bar inquiry contained in “**The Florida Bar’s Composite Exhibit 1**” and until further order of this Court.

Respectfully submitted,

A handwritten signature in black ink that reads "Allie F. Huston". The signature is written in a cursive style with a horizontal line extending to the right.

Allie F. Huston
Bar Counsel
The Florida Bar
Fort Lauderdale Branch Office
Lake Shore Plaza II
1300 Concord Terrace, Suite 130
Sunrise, Florida 33323
(954) 835-0233
Florida Bar No. 84992
ahuston@floridabar.org
smiles@floridabar.org

CERTIFICATE OF SERVICE

I certify this document has been e-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida with a copy provided via email to respondent, Timmy W. Cox, Sr., at tcox@timwcoxpa.com and tcox324@aol.com; and to Staff Counsel, The Florida Bar, via email at psavitz@floridabar.org, on this 16th day of August, 2022.



Allie F. Huston, Bar Counsel
The Florida Bar
Fort Lauderdale Branch Office
Lake Shore Plaza II
1300 Concord Terrace, Suite 130
Sunrise, Florida 33323
(954) 835-0233
Florida Bar No. 84992
ahuston@floridabar.org
smiles@floridabar.org

NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY EMAIL ADDRESS

PLEASE TAKE NOTICE that the trial counsel in this matter is Allie F. Huston, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Fort Lauderdale Branch Office, Lake Shore Plaza II, 1300 Concord Terrace, Ste. 130, Sunrise, FL 33323 (954)835-0233 and ahuston@floridabar.org and smiles@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, FL 32399-2300, via email to psavitz@floridabar.org.

IN THE SUPREME COURT OF FLORIDA
(Before a Grievance Committee)

THE FLORIDA BAR,
Complainant,

The Florida Bar File
No. 2022-50,604(17C)

v.

TIMMY W. COX, SR.,
Respondent.

**GRIEVANCE COMMITTEE FINDING OF NON-COMPLIANCE AND
FAILURE TO RESPOND TO OFFICIAL BAR INQUIRY AND
CONTEMPT**

On July 11, 2022, pursuant to Rule 3-7.11(f), Rules Regulating The Florida Bar, the Seventeenth Judicial Circuit Grievance Committee “C” considered whether to issue a Finding of Non-Compliance and Failure to Respond to Official Bar Inquiry and Finding of Contempt and made the following findings:

1. On April 14, 2022, respondent was sent a letter by regular U.S. Mail to respondent's record bar address advising of a complaint in this case and was requested to respond by April 29, 2022. A copy of the letter is attached hereto as a part of "The Florida Bar's Composite Exhibit A".

2. Respondent failed to respond to The Florida Bar as requested in the letter of April 14, 2022.

3. On May 16, 2022, respondent was sent another letter via email to respondent's record bar address, advising of a complaint in this case and was

requested to respond in ten days to the letter. A copy of the letter is attached hereto as a part of "The Florida Bar's Composite Exhibit A".

4. Respondent failed to respond to The Florida Bar as requested in the letter of May 16, 2022.

5. Respondent was given notice that on July 11, 2022, the Seventeenth Judicial Circuit Grievance Committee "C" would hold a hearing on the Request for Issuance of Notice of Non-Compliance and Finding of Contempt. A copy of the Notice of Hearing and the Request for Issuance of Notice of Non-Compliance and Finding of Contempt are attached hereto as "The Florida Bar's Composite Exhibit A".

6. Respondent made no response to the Request for Issuance of Notice of Non-Compliance and Finding of Contempt.

7. As of the date of this Request for Issuance of Notice of Non-Compliance and Finding of Contempt, Respondent has failed to respond to the official Bar inquiries dated April 14, 2022 and May 16, 2022.

8. The Grievance Committee found that Respondent failed to respond to an official bar inquiry without good cause shown.

9. The Grievance Committee found Respondent to be in contempt and requested The Florida Bar to file a Petition for Contempt and Order to Show Cause with the Supreme Court.

Dated this 1st day of August, 2022.

Seventeenth Judicial Circuit Grievance
Committee "C"

Holly Hamilton

Holly Hamilton, Vice Chair

CERTIFICATE OF SERVICE

I certify this document has been furnished by regular U.S. Mail and email to respondent, Timmy W. Cox Sr., Tim W. Cox PA, 7401 SW 16th St, Plantation, FL 33317-4964; at tcx@timwcoxpa.com and tcx324@aol.com; and via email to Michael D. Leader, Chair at mleader@leader-law.com; Adam Glenn Rabinowitz, Designated Reviewer, at adam@mr-lawyers.com and to Staff Counsel, The Florida Bar, via email at psavitz@floridabar.org, dated this 4th day of August, 2022.

Allie F. Huston

Allie F. Huston, Bar Counsel

IN THE SUPREME COURT OF FLORIDA
(Before a Grievance Committee)

THE FLORIDA BAR,

Complainant,

The Florida Bar File
No. 2022-50,604(17C)

v.

TIMMY W. COX, SR.,

Respondent.

**REQUEST FOR ISSUANCE OF NOTICE OF NON-COMPLIANCE
AND FINDING OF CONTEMPT**

Pursuant to Rule 3-7.11(f)(2), Rules Regulating The Florida Bar, the undersigned bar counsel requests that on July 11, 2022, the Seventeenth Judicial Circuit Grievance Committee "C", hear the issue of whether respondent shall be found in contempt for failure to respond to an official bar inquiry without good cause shown and states the following:

1. On April 14, 2022, respondent was sent a letter by regular U.S. Mail to respondent's record bar address advising of a complaint in this case and was requested to respond by April 29, 2022. A copy of the letter is attached hereto as "Exhibit A".

2. Respondent failed to respond to The Florida Bar as requested in the letter of April 14, 2022.

3. On May 16, 2022, respondent was sent another letter via email to respondent's record bar address, advising of a complaint in this case and was requested to respond in ten days to the letter. A copy of the letter is attached hereto as "Exhibit B".

4. Respondent failed to respond to The Florida Bar as requested in the letter of May 16, 2022.

5. As of the date of this Request for Issuance of Notice of Non-Compliance and Finding of Contempt, the respondent has failed to respond to an official bar inquiry without good cause.

WHEREFORE, the undersigned bar counsel respectfully requests that this Grievance Committee issue its findings as to whether respondent has failed to respond to an official bar inquiry without good cause shown and whether respondent should be held in contempt for failure to respond to an official bar inquiry.

Respectfully submitted,



Allie F. Huston, Bar Counsel
The Florida Bar
Fort Lauderdale Branch Office
Lake Shore Plaza II
1300 Concord Terrace, Suite 130
Sunrise, Florida 33323
(954) 835-0233
Florida Bar No. 84992
ahuston@floridabar.org
smiles@floridabar.org

CERTIFICATE OF SERVICE

I certify this document has been furnished by regular U.S. Mail and email to respondent, Timmy W. Cox Sr., Tim W. Cox PA, 7401 SW 16th St, Plantation, FL 33317-4964; at tcox@timwcoxpa.com and tcox324@aol.com; and via email to Michael D. Leader, Chair at mleader@leader-law.com; Adam Glenn Rabinowitz, Designated Reviewer, at adam@mr-lawyers.com and to Staff Counsel, The Florida Bar, via email at psavitz@floridabar.org, dated this 1st day of June, 2022.

A handwritten signature in black ink, appearing to read "Allie F. Huston". The signature is written in a cursive style with a horizontal line extending to the right.

Allie F. Huston, Bar Counsel



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

April 14, 2022

Mr. Timmy W. Cox Sr.
7401 SW 16th St
Plantation, FL 33317-4964

Re: Complaint by Edgerrin Billie against Timmy W. Cox Sr.
The Florida Bar File No. 2022-50,604 (17C)

Dear Mr. Cox:

Enclosed is a copy of an inquiry/complaint and any supporting documents submitted by the above referenced complainant(s). Your response to this complaint is required under the provisions of Rule 4-8.4(g), Rules of Professional Conduct of the Rules Regulating The Florida Bar, and is due in our office by **April 29, 2022**. **Responses should not exceed 25 pages** and may refer to any additional documents or exhibits that are available on request. Failure to provide a written response to this complaint is in itself a violation of Rule 4-8.4(g). **You are further required to furnish the complainant with a complete copy of your written response, including any documents submitted therewith.**

Pursuant to Rule 3-7.1(f), Rules of Discipline, you are further required to complete and return the enclosed Certificate of Disclosure form.

Finally, the filing of this complaint does not preclude communication between the attorney and the complainant(s). Please review the enclosed Notice for information on submitting your response.

Sincerely,

Teresa Goodson, Bar Counsel
Attorney Consumer Assistance Program
ACAP Hotline 866-352-0707

Enclosures

cc: Mr. Edgerrin Billie

Pursuant to Rule 3-7.1(f) of the Rules Regulating The Florida Bar, you must execute the applicable section of this form and return it to my attention. The rule provides that the nature of the charges be described in the notice to your firm or you may attach a copy of the complaint.

CERTIFICATE OF DISCLOSURE

I HEREBY CERTIFY that on this _____ day of _____, 20____, a true copy of the foregoing disclosure was furnished to _____, a member of my present law firm of _____, and, if different, to _____, a member of the law firm of _____, with which I was associated at the time of the act(s) giving rise to the complaint in The Florida Bar File No. 2022-50,604 (17C).

Timmy W. Cox Sr.

CERTIFICATE OF DISCLOSURE
(Corporate/Government Employment)

I HEREBY CERTIFY that on this _____ day of _____, 20____, a true copy of the foregoing disclosure was furnished to _____, my supervisor at _____ (name of agency), with which I was associated at the time of the act(s) giving rise to the complaint in The Florida Bar File No. 2022-50,604 (17C).

Timmy W. Cox Sr.

CERTIFICATE OF NON-LAW FIRM AFFILIATION
(Sole Practitioner)

I HEREBY CERTIFY to The Florida Bar on this _____ day of _____, 20____, that I am not presently affiliated with a law firm and was not affiliated with a law firm at the time of the act(s) giving rise to the complaint in The Florida Bar File No. 2022-50,604 (17C).

Timmy W. Cox Sr.

NOTICE OF GRIEVANCE PROCEDURES

1. The enclosed letter is an official inquiry by bar counsel. Your response is required under Rule 4-8.4(g) of the Rules Regulating The Florida Bar. Rule 4-8.4(g)(1) and (2) require that a lawyer submit a written response within 15 days to an initial inquiry and within 10 days to any follow-up inquiry made by bar counsel, the grievance committee or the board of governors during the course of an investigation of the lawyer's conduct. If you do not respond, the matter will be forwarded to the grievance committee for disposition in accordance with Rule 3-7.3. Failure to respond may also be a matter of contempt and processed in accordance with Rule 3-7.11(f).
2. Many inquiries considered first by staff counsel are not forwarded to a grievance committee, as they do not involve violations of the Rules of Professional Conduct justifying disciplinary action.
3. Pursuant to Rule 3-7.1, any reports, correspondence, papers, recordings and/or transcripts of hearings submitted by you in this matter shall become accessible to the public upon dismissal or a decision by the grievance committee. Please advise Bar Counsel if you believe any material provided to The Florida Bar is confidential under applicable law and identify the basis of your claim that the material is confidential. Please note that The Florida Bar is required to acknowledge the status of proceedings during the pendency of an investigation, if a specific inquiry is made and the matter is deemed to be in the public domain.
4. The grievance committee is the Bar's "grand jury." Proceedings before the grievance committee are non-adversarial in nature. The grievance committee's function and procedures are set forth in Rule 3-7.4.
5. If the grievance committee finds probable cause, formal adversarial proceedings before the Supreme Court of Florida will be initiated pursuant to Rule 3-7.6. A referee will make a recommendation as to guilt and discipline to The Supreme Court of Florida, unless a plea is submitted pursuant to Rule 3-7.9.



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

April 14, 2022

Mr. Edgerrin Billie
340 N.W. 4th Avenue
Deerfield Beach, FL 33441

Re: Timmy W. Cox Sr.; The Florida Bar File No. 2022-50,604 (17C)

Dear Mr. Billie:

Enclosed is a copy of our letter to Mr. Cox which requires a response to your complaint.

Once you receive Mr. Cox's response, you have 10 days to file a rebuttal if you so desire. **If you decide to file a rebuttal, you must send a copy to Mr. Cox.** Rebuttals should not exceed 25 pages and may refer to any additional documents or exhibits that are available on request. Please address any and all correspondence to me.

It is important that you keep The Florida Bar informed of any changes to your contact information.

Please be advised that as an arm of the Supreme Court of Florida, The Florida Bar can investigate allegations of misconduct against attorneys, and where appropriate, request that the attorney be disciplined. The Florida Bar cannot render legal advice nor can The Florida Bar represent individuals or intervene on their behalf in any civil or criminal matter.

Please review the enclosed Notice on mailing instructions for information on submitting your rebuttal.

Sincerely,

Teresa Goodson, Bar Counsel
Attorney Consumer Assistance Program
ACAP Hotline 866-352-0707

Enclosures

cc: Mr. Timmy W. Cox Sr.

NOTICE OF GRIEVANCE PROCEDURES

1. The enclosed letter is an informal inquiry. Your response is required under the provisions of The Rules Regulating The Florida Bar 4 8.4(g), Rules of Professional Conduct. Failure to provide a written response to this complaint is in itself a violation of Rule 4 8.4(g). If you do not respond, the matter will be forwarded to the grievance committee for disposition in accordance with Rule 3-7.3 of the Rules of Discipline.
2. Many complaints considered first by staff counsel are not forwarded to a grievance committee, as they do not involve violations of the Rules of Professional Conduct justifying disciplinary action.
3. “Pursuant to Rule 3-7.1(a), Rules of Discipline, any response by you in these proceedings shall become part of the public record of this matter and thereby become accessible to the public upon the closure of the case by Bar counsel or upon a finding of no probable cause, probable cause, minor misconduct, or recommendation of diversion. Disclosure during the pendency of an investigation may be made only as to status if a specific inquiry concerning this case is made and if this matter is generally known to be in the public domain.”
4. The grievance committee is the Bar’s “grand jury.” Its function and procedure are set forth in Rule 3-7.4. Proceedings before the grievance committee, for the most part, are non-adversarial in nature. However, you should carefully review Chapter 3 of the Rules Regulating The Florida Bar.
5. If the grievance committee finds probable cause, formal adversarial proceedings, which ordinarily lead to disposition by the Supreme Court of Florida, will be commenced under 3-7.6, unless a plea is submitted under Rule 3-7.9.



The Florida Bar

Ft. Lauderdale Branch Office
Lake Shore Plaza II
1300 Concord Terrace, Suite 130
Sunrise, Florida 33323
(954) 835-0233

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

May 16, 2022

VIA E-Mail to tcox@timwcoxpa.com

Mr. Timmy W. Cox Sr.
Tim W. Cox PA
7401 SW 16th Street
Plantation, FL 33317-4964

Re: Complaint of Edgerrin Billie against Timmy W. Cox Sr.
The Florida Bar File No. 2022-50,604 (17C)

Dear Mr. Cox:

Please be advised that this case was recently transferred to the Ft. Lauderdale Branch Office of The Florida Bar. Please send all correspondence in this matter, referencing the above case number to the attention of the undersigned, preferably by electronic mail or by U.S. Mail at the following address:

Allie F. Huston
The Florida Bar
Lake Shore Plaza II
1300 Concord Terrace, Suite 130
Sunrise, Florida 33323
ahuston@floridabar.org & esanchez@floridabar.org

Enclosed you will find correspondence dated April 14, 2022, requiring a response. Please be advised that a written response is required pursuant to Rule 4-8.4(g) of the Rules Regulating The Florida Bar, and a response has not been received.

If a response is not received by May 26, 2022, this matter will be forwarded to the grievance committee for further investigation.

Further, both the complainant and the respondent are directed to notify this office, in writing, of any pending civil, criminal, or administrative litigation which pertains to this grievance. Please

THE FLORIDA BAR

note that this is a continuing obligation should new litigation develop during the pendency of this matter. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Allie F. Huston".

Allie F. Huston
Bar Counsel

AFH/es

Enclosure

cc: Mr. Edgerrin Billie, Complainant