

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

JEFFREY EDWARD APPEL,

Respondent.

Supreme Court Case  
No. SC22-833

The Florida Bar File  
No. 2022-90,061(OSC)

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**REPLY TO ORDER TO SHOW CAUSE**

COMES NOW the petitioner, The Florida Bar, and files its Reply to Respondent's Verified Response to Order to Show Cause and says:

1. Respondent admits the allegations in the bar's Petition for Contempt and Order to Show Cause.

2. Respondent opposes the sanction that the bar is seeking in its petition.

3. The Florida Bar is aware that alcoholism is a disease for which relapse may occur, depending on many different factors, including the individual and his or her treatment plan and overall commitment to treatment.

4. The basis of the contempt is respondent's most recent DUI arrest in March 2022. However, respondent had a previous DUI that

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resulted in the underlying case in which he received an admonishment for minor misconduct and the condition of a contract with Florida Lawyers Assistance.

5. Respondent admits that he took the offer of Polk County's drug court program to reduce the sentence imposed for the DUI from March.

6. Respondent states that it is overly burdensome for him to participate in drug court and comply with his rehabilitation contract with Florida Lawyers Assistance, Inc. (FLA, Inc.) and yet he never contacted FLA, Inc. to see if the two entities could work together.

7. Respondent has a history of trying to get out of his contract with FLA, Inc. See, paragraph 8 of the bar's petition for contempt and order to show cause.

8. The bar's position remains the same that the recommended sanction for contempt should be a 91-day suspension.

9. There are no materials facts in dispute which need to be considered.

10. Respondent would like the Court to believe there are mitigating factors which should be considered when imposing a disciplinary sanction. However, respondent's past behavior is not indicative of his commitment to sobriety.

The petitioner respectfully requests this Court enter an order holding respondent, Jeffrey Edward Appel, in contempt and suspending him for 91-days and assess costs in the amount of \$1,250.00 to The Florida Bar. Furthermore, the bar suggests that prior to petitioning for reinstatement, respondent undergo a substance abuse evaluation by an approved FLA, Inc. provider, comply with any recommendations including completing a minimum period of sobriety of 6 months and received a recommendation from FLA, Inc. in support of his reinstatement.

Respectfully submitted,



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## **CERTIFICATE OF SERVICE**

I certify that the original hereof 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 provided to Respondent's Counsel, Brett Alan Geer, at his record bar email address of [brettgeer@geerlawfirm.com](mailto:brettgeer@geerlawfirm.com), and his secondary email address of [info@geerlawfirm.com](mailto:info@geerlawfirm.com), on this 1st day of August, 2022.



Patricia Ann Toro Savitz, Bar Counsel