

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,
Complainant,

Supreme Court Case
No. SC-

v.

The Florida Bar File
Nos. 2022-30,321 (9A);
2022-30,423 (9A)

RYAN F. C. MITCHELL,
Respondent.

_____ /

COMPLAINT

The Florida Bar, complainant, files this Complaint against Ryan F. C. Mitchell, 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 January 9, 2009, and he is subject to the jurisdiction of the Supreme Court of Florida.
2. Respondent resided and practiced law in Orange County, Florida, at all times material to the allegations in this complaint.
3. The Ninth Judicial Circuit Grievance Committee "A" 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.

4. On December 2, 2021, respondent was charged by Information with one count of Felony Battery (Great Bodily Harm, Permanent Disability or Permanent Disfigurement), a third-degree felony, in Orange County, Florida in case number 2021-CF-15401-A-O, for assaulting his wife, A.M., on September 22, 2021.

5. On January 14, 2022, an Amended Information was filed to add an additional charge of Criminal Mischief with Damage of \$1,000.00 or More, a third-degree felony, for damaging A.M.'s cell phone.

6. The arrest affidavit stated that respondent and his wife had been having marital issues.

7. On the night of September 22, 2021, A.M. awakened respondent while he was sleeping in bed.

8. Respondent became angry, got out of bed, and began punching A.M. in the head and face.

9. A.M. ran into the living room and covered her face with a pillow.

10. Respondent followed and said, "I am going to kill you."

11. Respondent pulled the pillow away from her face and punched her several more times.

12. The couple's three minor children were present in the house when the incident occurred.

13. Respondent also damaged A.M.'s cell phone and left the home before the police arrived.

14. Photographs of A.M.'s face taken by law enforcement showed that her right eye was blackened, and the right side of her face was bruised and swollen.

15. On January 13, 2023, respondent pled nolo contendere to two reduced misdemeanor charges in the case: Battery (Domestic Violence), a first-degree misdemeanor; and Criminal Mischief, a second-degree misdemeanor.

16. The court withheld adjudication and sentenced respondent to 18 months of supervised probation with conditions, including submitting to a mental health evaluation, submitting to a drug and alcohol evaluation, attending and completing the Batterer's Intervention Program, having no contact with the victim, and paying \$2,224.23 in restitution to the victim.

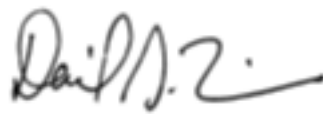
17. By reason of the foregoing, respondent has violated the following Rules Regulating The Florida Bar:

(a) 3-4.3 The standards of professional conduct required of members of the bar are not limited to the observance of rules and avoidance of prohibited acts, and the enumeration of certain categories of misconduct as constituting grounds for discipline are not all-inclusive nor is

the failure to specify any particular act of misconduct be construed as tolerance of the act of misconduct. 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.

(b) 4-8.4(b) A lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects.

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 Thomas Devlin Sommerville, counsel for respondent, at tom@sommervillelaw.com; and that a copy has been furnished by United States Mail via certified mail No. 7020 1810 0000 0813 3136, return receipt requested to Thomas Devlin Sommerville, whose record bar address is 820 North Thornton Avenue, Orlando, Florida 32803-4003 and via email to Daniel James Quinn, Bar Counsel, dquinn@floridabar.org, orlandooffice@floridabar.org on this 14th day of June, 2023.



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 Daniel James Quinn, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Orlando Branch Office, The Gateway Center, 1000 Legion Place, Suite 1625, Orlando, Florida 32801-1050, (407) 425-5424 and dquinn@floridabar.org, orlandooffice@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 East 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.