

Supreme Court of Florida

Docket No. SC2025-1020

Jon May, Petitioner

vs.

The Florida Bar, Respondent.

Motion for Rehearing

In holding that “petitioner has failed to show a clear legal right to the relief requested,” this Court answered the wrong question. The right question is: Was this Court under a clear legal duty to order The Florida Bar to conduct an investigation on the grounds that the Court has an independent duty to the people of Florida to ensure that members of the Bar obey the rules of ethics?

In the reply Petitioner argued that he was not representing his own interests, but that of every citizen. Assuming that mandamus is limited to natural persons who have individually suffered harm, once this Court was aware of allegations of unethical conduct

presented by a member of the bar under oath, it was required to conduct an investigation. After all, The Florida Bar is merely a component entity of this Court. This Court was constructively on notice that such allegations were before the Court, when the Bar was placed on notice. In other words, the Bar does work that the Court can't do, but the responsibility for discipline ultimately rests with this Court.

Collectively, the rules of ethics of the 50 states, particularly the rule of candor, provide some of the most effective safeguards for the rule of law. The threat of disbarment is a sanction with teeth. If lawyers were permitted to put the interests of their clients ahead of their obligation to adhere to the highest standards of professional responsibility, then why should the public continue to have faith that the decisions of courts reflect the truth—a value that has become increasingly rare in civil discourse and the administration of government.

The additional evidence which The Florida Bar will receive, should it conduct an investigation, and has become public since the Complaint was filed, demonstrate that the Executive branch is

embolden to disregard the orders of judges to carry out the Administration's political agenda. Fundamentally this refutes the Florida Attorney General's contention that Petitioner is attempting to use this Court to interfere with the Attorney General's work. Her work does not include lying to the court, and it most certainly does not include disobeying court orders.

This Court has never stood behind the curtain of legal nicety to avoid addressing a clear and present threat to the legitimacy of the Court. This Court has both the legal authority and the moral responsibility to order The Florida Bar to conduct an investigation. As is usually the case, the defendant (here the USAG) will not be called upon to respond to the Complaint if bar counsel determines that there wasn't a sufficient showing of unethical conduct. But, if Petitioner's sworn allegations of serious ethical misconduct by the Attorney General of the United States raise a genuine concern, how can they be ignored?

Respectfully signed and submitted electronically, this 20th day
of October, 2025.

_____/s/_____
Jon May
Creative Criminal Defense
Consultants
FL Bar #0276571
P.O. Box 970006
Boca Raton, FL 33497
(954) 439-6500
jonmay@jonmaycriminaldefense.com

Certificate of Service

I hereby certify that a true and correct copy of this Reply has
being furnished by email to:

Mark Lugo Mason
Bar Counsel
The Florida Bar
651 E. Jefferson St.
Tallahassee, FL 32399-2300
mmason@floridabar.org

Jaynie Lilley
Attorney
Civil Division, Room 7321
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001
jaynie.lilley2@usdoj.gov

Jeffrey Paul DeSousa
Acting Solicitor General
Office of the Attorney General
The Capitol, PL-01
Tallahassee, Florida 32399
jeffrey.desousa@myfloridalegal.com

this 20th day of October, 2025.

_____/s/____

Jon May
Creative Criminal Defense Consultants

Certificate Of Compliance

I hereby certify that this petition was typed in 14-point
Bookman Old Style. It is 631 words long.

Jon May
Creative Criminal Defense Consultants