

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Supreme Court Case No.

IN RE:
THE PETITION FOR DISCIPLINARY
REVOCATION OF
XENIA HERNANDEZ,

Florida Bar File No.
2025-70,584(11B)(MDR)
Related Supreme Court Case
No. SC2025-0556
The Florida Bar File Nos.
2024-70,490 (11B)(MES)
2025,70,227 (11B)

Petitioner.

_____ /

PETITION FOR DISCIPLINARY REVOCATION
WITH LEAVE TO APPLY FOR READMISSION

COMES NOW the petitioner, Xenia Hernandez, and submits this Petition for Disciplinary Revocation With Leave to Apply for Readmission pursuant to Rule Regulating The Florida Bar 3-7.12 and states:

1. Petitioner knowingly and voluntarily submits this Petition with full knowledge of its effect.
2. Petitioner is 35 years old, has been a member of The Florida Bar since September 22, 2017, and is subject to the jurisdiction of the Supreme Court of Florida and the Rules Regulating The Florida Bar.
3. The petitioner does not have a disciplinary history.

4. The following disciplinary matters are currently pending against the petitioner in Supreme Court Case Number SC2025-0556 before The Honorable Alicia Garcia Priovolos, who was appointed as referee on April 30, 2025:

A. In The Florida Bar File No. 2024-70,490 (11B) (MES), The Florida Bar filed a Petition for Emergency Suspension alleging trust accounting shortages ranging from about \$169,000 to \$381,000. By order dated April 25, 2025, The Supreme Court of Florida granted the Bar's petition and imposed a suspension effective May 27, 2025.

B. In The Florida Bar File No. 2025-70,227 (11B), a former client, Ryan Willoughby, filed a grievance on or around March 12, 2024, alleging that Petitioner did not timely disburse settlement proceeds from a personal injury case.

5. Petitioner recognizes she was unskilled and negligent in the handling of her trust account reports and reconciliations when she opened her firm in 2023 and accepts that mistakes were made.

6. Petitioner has hired Gary W. Fagg, CPA, who has significant experience and expertise in lawyer trust account compliance, to assist her in providing forensic accounting services

to ensure the accuracy and eventual disposition of all client ledger balances upon court approval.

7. Petitioner submits the granting of this Petition will not adversely affect the public interest, the integrity of the courts, or the confidence of the public in the legal profession. Petitioner further submits that granting this Petition will not hinder the administration of justice.

8. Petitioner agrees to reimburse the Clients' Security Fund of The Florida Bar for any payments that result from her conduct.

9. Petitioner agrees to reimburse The Florida Bar for the costs incurred in her disciplinary cases.

10. When and if requested by The Florida Bar, Petitioner agrees to cooperate in any further audit of her trust account and any account into which she has placed client funds.

11. If so requested, Petitioner further agrees to submit within thirty (30) days a sworn financial affidavit to The Florida Bar on a form to be furnished by The Florida Bar attesting to her current personal and professional financial circumstances.

12. Petitioner shall maintain a current mailing address with The Florida Bar for a period of five (5) years from the date of this

Court's order accepting this petition for disciplinary revocation. Further, Petitioner shall keep The Florida Bar advised as to the physical address of Petitioner's home or business in the event Petitioner should utilize a post office box or other type of mail drop service during the five (5) year period after the disciplinary revocation becomes final.

13. Petitioner understands that the granting of this Petition by the Supreme Court of Florida shall serve to dismiss all pending disciplinary cases, except the referee may retain jurisdiction as needed to approve any related motions for disbursement of funds.

WHEREFORE, Petitioner respectfully requests that this honorable Court grant this Petition and enter an Order that Petitioner's membership in The Florida Bar be revoked with leave to seek readmission, with revocation to take effect May 27, 2025, the effective date of the pending suspension.

Respectfully submitted,

/s/ Xenia Hernandez

Xenia Hernandez, Petitioner
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Dated this 23rd day of May 2025.

Debra J. Davis

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Dated this 23rd day of May 2025.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Petition for Disciplinary Revocation with Leave to Apply for Readmission 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 via electronic mail to The Honorable Alicia Garcia Priovolos, Referee, at palopez@jud11.flcourts.org; Alan Anthony Pascal, Bar Counsel, at apascal@floridabar.org and kperaza@floridabar.org; Joshua E. Doyle, Executive Director of The Florida Bar, jdoyle@floridabar.org; and Patricia Ann Toro Savitz, Staff Counsel, at psavitz@floridabar.org, this 23rd day of May 2025.

Debra J. Davis

Debra Joyce Davis, Esquire
Petitioner's Counsel