

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

NAZMUL ISLAM,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2023-30,077 (19B)

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Nazmul Islam, and files this Conditional Guilty Plea pursuant to Rule 3-7.9 of the Rules Regulating The Florida Bar.

1. Respondent is, and at all times mentioned herein was, a member of The Florida Bar, subject to the jurisdiction of the Supreme Court of Florida.

2. Respondent is currently the subject of a Florida Bar disciplinary matter which has been assigned The Florida Bar File No. 2023-30,077 (19B).

3. As to The Florida Bar File No. 2023-30,077 (19B), there has been a finding of probable cause by the grievance committee.

4. Respondent is acting freely and voluntarily in this matter and

tenders this plea without fear or threat of coercion.

5. Respondent is not represented by counsel in this matter.

6. The disciplinary measures to be imposed upon respondent are as follows:

A. One-year suspension from the practice of law.

B. Payment of the bar's disciplinary costs.

7. Respondent acknowledges that, unless waived or modified by the Court on motion of respondent, the Court order will contain a provision that prohibits respondent from accepting new business from the date of the order or opinion and shall provide that the suspension is effective 30 days from the date of the Order or opinion so that respondent may close out the practice of law and protect the interest of existing clients.

8. During the period of suspension, respondent agrees to eliminate all indicia of respondent's status as an attorney on email, social media, telephone listings, stationery, checks, business cards, office signs or any other indicia of respondent's status as an attorney, whatsoever.

9. The following allegations provide the basis for respondent's guilty plea in this matter:

A. While handling a client's immigration matter, respondent failed to provide competent representation, failed to adequately

communicate with the client, and failed to diligently handle the matter. In addition, respondent engaged in dishonest conduct surrounding the representation.

B. In or around 2016, Mr. Tutul first met with respondent to discuss his immigration matter, specifically to represent him in removal proceedings. Mr. Tutul and respondent became acquainted through a mutual friend in the Bangladeshi community.

C. Mr. Tutul had been released from detention but was facing deportation to Bangladesh. Mr. Tutul's goal was to present an application for asylum. Mr. Tutul paid \$1,500.00 for the representation.

D. In or around October 2017, respondent appeared with Mr. Tutul at a master calendar call. The final hearing was set for August 8, 2018. Prior to the hearing on August 8, 2018, respondent realized that Mr. Tutul did not have all of the documentation necessary for his case. Respondent knew the judge that they were to appear before would not grant a continuance for failure to have complete documentation.

E. Respondent decided to tell his client to make himself unavailable to appear in court on August 8, 2018.

F. Respondent, however, appeared in court that day. The judge asked respondent where his client was, and respondent told the judge he did not know. Respondent's statement to the judge was not truthful, since respondent knew he had told his client to be unavailable to appear in court.

G. Because Mr. Tutul did not appear in court, the judge entered an order of removal. Respondent failed to advise his client of the order of removal.

H. On August 21, 2018, respondent filed a Motion to Reopen Mr. Tutul's case which was later denied by the court.

I. Thereafter, for more than a year, Mr. Tutul repeatedly asked respondent for updates via text, and respondent continually led Mr. Tutul to believe he was attempting to get a new hearing date.

J. Eventually, Mr. Tutul learned that his application for asylum had been denied and there was an order of removal. Respondent then told him he was working on getting the matter taken care of. However, respondent failed to take any meaningful action to reopen Mr. Tutul's case.

K. Respondent had filed multiple work permits on Mr. Tutul's behalf and attempted to obtain a U-Visa at no charge.

10. The following Rules Regulating The Florida Bar provide the basis for the discipline to be imposed in this matter: 3-4.3 (Misconduct and Minor Misconduct); 4-1.1 (Competence); 4-1.2(a) (Objectives and Scope of Representation; Lawyer to Abide by Client's Decisions); 4-1.3 (Diligence) A lawyer shall act with reasonable diligence and promptness in representing a client; 4-1.4(a) (Communication; Informing Client of Status of Representation); 4-1.4(b) (Communication; Duty to Explain Matters to Client; and 4-8.4(c) (Misconduct).

11. In mitigation, respondent has no prior discipline [Florida's Standards for Imposing Lawyer Sanctions 3.3(b)(1)]; respondent did not act with a selfish motive as he was attempting to assist a member of his community with an asylum claim [3.3(b)(2)]; respondent was forthcoming and cooperative during the disciplinary proceeding [3.3(b)(5)]; and he expressed sincere remorse for his misconduct [3.3(b)(12)].

12. In aggravation, respondent's client was in a vulnerable position as he was facing deportation [3.2(b)(8)]; and respondent has substantial experience in the practice of law, admitted in 2011 [3.2(b)(9)].

13. The Florida Bar has approved this proposed plea in the manner required by Rule 3-7.9.

14. If this plea is not finally approved by the Board of Governors of

The Florida Bar and the Supreme Court of Florida, then it shall be of no effect and may not be used by the parties in any way.

15. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q) in the amount of \$2,158.40. These costs are due within 30 days of the Court order. Respondent agrees that if the costs are not paid within 30 days of this Court's order becoming final, respondent shall pay interest on any unpaid costs at the statutory rate. Respondent further agrees not to attempt to discharge the obligation for payment of the bar's costs in any future proceedings, including but not limited to, a petition for bankruptcy. Respondent shall be deemed delinquent and ineligible to practice law pursuant to Rule 1-3.6 if the cost judgment is not satisfied within 30 days of the final Court order, unless deferred by the Board of Governors of The Florida Bar.

16. Respondent acknowledges the obligation to pay the costs of this proceeding and that payment is evidence of strict compliance with the conditions of any disciplinary order or agreement and is also evidence of good faith and fiscal responsibility. Respondent understands that failure to pay the costs of this proceeding will reflect adversely on any other bar disciplinary matter in which respondent is involved.

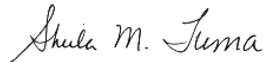
17. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 13 day of October, 2023.



Nazmul Islam
Respondent
2740 SW Martin Downs Blvd.
Palm City, Florida 34990-6046
(772) 321-5462
Florida Bar No. 94257
naz387@yahoo.com

Dated this 16th day of October, 2023.



Sheila Marie Tuma
Bar Counsel
The Florida Bar
Orlando Branch Office
The Gateway Center
1000 Legion Place, Suite 1625
Orlando, Florida 32801-1050
(407) 425-5424
Florida Bar No. 196223
stuma@floridabar.org
orlandooffice@floridabar.org
dsullivan@floridabar.org