

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

MARK EDWIN HEIMENDINGER,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2023-30,362 (9C) (CFC)

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NOTICE OF DETERMINATION OR JUDGMENT OF GUILT

COMES NOW, The Florida Bar, and files this Notice of Determination or Judgment of Guilt, pursuant to Rule 3-7.2(f), Rules of Discipline of The Florida Bar and says:

1. Respondent is a member of The Florida Bar, admitted on May 13, 2016.
2. On or about August 25, 2023, in State of Florida v. Mark Edwin Heimendinger, Case No. 59-2022-CF-3044-A, in the Circuit Court of the Eighteenth Judicial Circuit, in and for Seminole County, Florida, respondent entered a plea of nolo contendere to Aggravated Assault (a third degree felony), Carrying Concealed Firearm (a third degree felony), Improper Exhibition of a Dangerous Weapon (a first degree misdemeanor), and Battery (a first degree misdemeanor).

3. The court withheld adjudication on the two felony charges and adjudicated respondent guilty on the two misdemeanor charges. On the two felony counts, the court sentenced respondent to 60 months of conditional probation. On the misdemeanor counts, the court sentenced respondent to 2 days imprisonment, with credit for 2 days time served. A copy of the Amended Minutes, Judgment and Sentence are attached hereto as Exhibit "A."

WHEREFORE, The Florida Bar respectfully requests that this Court enter an order:

A. Finding respondent guilty of violating Rule 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.) of the Rules Regulating The Florida Bar;

B. Suspending respondent pursuant to Rule 3-7.2(f), Rules of Discipline of The Florida Bar;

C. Ordering respondent to furnish a copy of the suspension order to all clients, opposing counsel and courts before which he is counsel of record as required by Rule 3-5.1(h) of the Rules of Discipline of The Florida Bar and to furnish staff counsel with the requisite affidavit listing all clients, counsel and courts so informed within 30 days after receipt of the Court's

order; and

D. Appointing or directing the appointment of a referee to conduct a hearing on sanctions pursuant to Rule 3-7.2(h), Rules of Discipline of The Florida Bar.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karen Clark Bankowitz".

Karen Clark Bankowitz, Bar Counsel
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CERTIFICATE OF SERVICE

I certify that this document has been E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, with a copy provided via email to Mark Edwin Heimendinger, at mark@orlandofinanceandsecuritieslaw.com, and that a copy has been furnished by United States Mail via certified mail No. 9414 7266 9904 2965 0424 89, return receipt requested, to Mark Edwin Heimendinger, whose record bar address is 1034 Long Branch Lane, Oviedo, FL 32765-6018; and via email to Staff Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, FL 32399-2300, via email at psavitz@floridabar.org, on this 29th day of August, 2023.

A handwritten signature in black ink, reading "Karen Clark Bankowitz". The signature is written in a cursive, flowing style.

Karen Clark Bankowitz, Bar Counsel

NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY EMAIL ADDRESS

PLEASE TAKE NOTICE that the trial counsel in this matter is Karen Clark Bankowitz, 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 kbankowitz@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 E. Jefferson Street, Tallahassee, FL 32399-2300, psavitz@floridabar.org.