

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

ALEX S. BARNETT,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2023-50,376(15G)FFC

_____/

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 December 21, 2018, albeit suspended on February 28, 2023 in Supreme Court Case No. SC23-273, and subject to the jurisdiction and disciplinary rules of the Supreme Court of Florida.

2. In February 2023, in the case styled *State of Florida vs. Alexander S. Barnett*, Case No. 2023CF113A, in the Circuit Court of the Second Judicial Circuit in and for Leon County, Florida, respondent was charged by information with violation of Fla. Stat. 836.10(2)(b), written threats to conduct a mass shooting or act of terrorism, a 2nd degree felony.

3. On or about May 2, 2023, respondent entered a plea of nolo contendere to the charge of written threats to conduct a mass shooting or act of terrorism, in violation of Florida Statute 836.10(2)(b), a 2nd degree felony and the court withheld adjudication. (Attached as **The Florida Bar's Composite Exhibit 1** are copies of court documents reflecting respondent's nolo contendere plea to the aforesaid felony charge.)

4. By the conduct set forth above, respondent violated R. Regulating Fla. Bar 3-4.3 (The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline....); 3-4.4 (A determination or judgment by a court of competent jurisdiction that a member of The Florida Bar is guilty of any crime or offense that is a felony under the laws of that court's jurisdiction is cause for automatic suspension from the practice of law in Florida....); 4-8.4(a) (A lawyer shall not violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.); and 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 respectfully requests that this Court enter an order:

A. Finding respondent guilty of violating Rules 3-4.3 (The commission by a lawyer of any act that is unlawful or contrary to honesty and justice may constitute a cause for discipline....); 3-4.4 (A determination or judgment by a court of competent jurisdiction that a member of The Florida Bar is guilty of any crime or offense that is a felony under the laws of that court's jurisdiction is cause for automatic suspension from the practice of law in Florida....); 4-8.4(a) (A lawyer shall not violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.); and 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: (1) all of the respondent's clients with matters pending in the respondent's practice; (2) all opposing counsel or co-counsel in the matters listed in (1) above; (3) all courts, tribunals, or adjudicative agencies before which the respondent is counsel of record; and (4) all state, federal, or administrative bars of which respondent is a member, 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 the names and addresses of all persons and entities that have been furnished copies of the order within 30 days after service 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 "William Mulligan".

William Mulligan, Bar Counsel
The Florida Bar
Ft. Lauderdale Branch Office
Lake Shore Plaza II
1300 Concord Terrace, Suite 130
Sunrise, Florida 33323
(954) 835-0233
Florida Bar No. 956880
wmulligan@floridabar.org
mcasco@floridabar.org

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 Richard Adam Greenberg, Counsel for Respondent, at rgreenberg@rumberger.com, rgreenbergsecy@rumberger.com and docketingorlando@rumberger.com using the E-filing Portal, and that a copy has been provided by United States Mail via Certified Mail No. 7017 1000 0000 1067 9018, return receipt requested, to Richard A. Greenberg, whose record bar address is Rumberger, Kirk & Caldwell, 101 N. Monroe Street, Suite 1050, Tallahassee, FL 32301; and via email to Staff Counsel, The Florida Bar, 651 E. Jefferson Street, Tallahassee, FL 32399-2300, at psavitz@floridabar.org, on this 11th day of May, 2023.

A handwritten signature in black ink, appearing to read "William Mulligan", with a stylized flourish at the end.

William Mulligan, Bar Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY AND
SECONDARY EMAIL ADDRESSES**

PLEASE TAKE NOTICE that the trial counsel in this matter is William Mulligan, Bar Counsel, whose address, telephone number and primary and secondary email addresses are The Florida Bar, Ft. Lauderdale Branch Office, Lake Shore Plaza II, 1300 Concord Terrace, Suite 130, Sunrise, Florida 33323, (954) 835-0233, wmulligan@floridabar.org and mcasco@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.