

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,
Complainant,

v.

GREGORY DARNELL CURTIS,
Respondent.

Supreme Court Case
No. SC2025-1317

The Florida Bar File
No. 2025-70,238(11H)

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REPORT OF REFEREE

I. SUMMARY OF PROCEEDINGS

The undersigned was appointed as referee under R. Regulating Fla. Bar 3-7.6 to preside over the proceedings in this case.

On August 29, 2025, The Florida Bar ("The Bar") filed its complaint against Respondent and its Request for Admissions in these proceedings.

On September 2, 2025, the Supreme Court of Florida entered an order designating the Chief Judge of the Eleventh Judicial Circuit of Florida to appoint a referee in this case.

On September 3, 2025, the Honorable Ariana Fajardo Orshan appointed the undersigned to serve as the referee.

Throughout these proceedings, The Bar was represented by Amanda Harris. Respondent was pro se.

Respondent was properly served with the complaint, however, failed to file a timely answer.

On October 20, 2025, this referee entered an order granting The Bar's motion for default, finding Respondent guilty of violating rules 4-1.2(Objectives and Scope of Representation), 4-1.3 (Diligence), 4-1.4 (Communication), 4-1.16 (Declining or Terminating Representation), 4-3.4(c) (Fairness to Opposing Party and Counsel), 4-8.1 (Bar Admission and Disciplinary Matters), and 4-8.4(d) (Misconduct).

On January 8, 2026, a sanction hearing was held in this matter. At the sanction hearing, the following exhibits were entered into evidence without objection: The Bar's exhibits numbers 1-17. At the final hearing, no witnesses were called by either party. Respondent was placed under oath and admitted to facts sufficient to support The Bar's recommended sanction without presenting witnesses or mitigation evidence on his behalf. He stated that he wished to accept the discipline proposed by The Bar without further proceedings.

All items properly filed including pleadings, recorded testimony (if transcribed), exhibits in evidence, and this report constitute the record in this case and are filed with the Supreme Court of Florida.

II. FINDINGS OF FACT

Jurisdictional Statement

Respondent is, and at all times mentioned during these proceedings was, a member of The Florida Bar, subject to the jurisdiction and Rules Regulating The Florida Bar adopted by The Supreme Court of Florida.

Narrative Summary of Case

Respondent is a solo practitioner who represents civil plaintiffs in personal injury matters. Over the last several years, complainant has brought multiple claims to Respondent for consideration. The claims are regarding incidents of alleged medical malpractice, civil servant abuses, and civil battery. Respondent has accepted representation of complainant in some, but not all, of those claims over the last several years.

In one such matter, Respondent represented complainant in a civil complaint against Mickens-Malik Realty, d.b.a. Rasool's Menswear ("Rasool's") for an alleged battery by a store employee. The complaint was filed on March 8, 2021. Respondent and complainant were able to

successfully work together on the matter until communication broke down approximately during the fall of 2023.

While actively representing complainant, Respondent was served via e-service with a notice of hearing for a calendar call on September 19, 2024. Despite notice, Respondent failed to appear at the hearing. Respondent did not notify complainant of the calendar call hearing.

Defense counsel requested an Order to Show Cause ("OTSC") due to Respondent's non-appearance at the calendar call. A hearing was set for October 31, 2024. Respondent was e-served with notice of the Request for OTSC and the notice of hearing for the October 31, 2024 hearing. Respondent did not notify complainant of the OTSC hearing.

Two (2) days before the OTSC hearing, complainant came to Respondent's office to terminate the representation. An altercation ensued in which both complainant and Respondent were at fault. Complainant video recorded the interaction, and excerpts of those recordings were entered into the record as Exhibit 16. Complainant eventually took possession of the physical file with police assistance. Respondent did not have a copy of the file or an electronic file to replace the physical copy.

Despite being terminated from the case, Respondent did not notify complainant of the OTSC hearing set for October 31, 2024. Moreover,

Respondent did not file a motion to formally withdraw from the case or notify the court of the altercation and termination.

The OTSC hearing took place on October 31, 2024. Respondent failed to appear, despite notice of the hearing. Likewise, complainant failed to appear. The court dismissed the Rasool's case on November 14, 2024.

On November 25, 2024, complainant filed a pro se Motion to Reopen the Rasool's case, asserting Respondent had not updated him about the case and that he could not come to court due to seizures.

In his responses to The Bar, Respondent asserted that he did not represent complainant in additional legal matters beyond the Rasool's matter. However, complainant signed a representation agreement for Respondent to represent him in a medical malpractice suit against "Jackson Hospital." The agreement, signed on February 20, 2023, was for malpractice resulting in injuries that occurred between February 5 and 15th of an unspecified year.

Respondent accepted representation and took steps to advocate on complainant's behalf. To that end, Respondent sent a letter of representation to Jackson Memorial Hospital on March 6, 2023, seeking records for a February 7, 2023 injury. Respondent received voluminous

medical records from Jackson Memorial Hospital, pursuant to his March 6, 2023 letter of representation.

Respondent thereafter did not file a complaint on complainant's behalf against Jackson Memorial Hospital. He failed to explain the circumstances of the Jackson Memorial Hospital medical malpractice investigation with complainant such that complainant was reasonably informed to make decisions in his legal matter.

In addition to Jackson Memorial Hospital, Respondent represented complainant in an additional medical malpractice claim. On September 30, 2024, Respondent acknowledged a third representation in a separate claim for injuries against Memorial West Regional Hospital that occurred on September 17, 2020.

Respondent received voluminous medical records from Memorial West Regional Hospital regarding complainant's claimed injuries. No civil complaint against Memorial West Regional Hospital was ever filed.

Respondent failed to explain the circumstances of the Memorial West Regional Hospital medical malpractice investigation with complainant such that complainant was reasonably informed to make decisions in his legal matter.

While this discipline matter was pending, complainant contacted The Bar in writing and stated that Respondent is a "good attorney" and that he forgave Respondent. Complainant expressed that he wanted the discipline proceedings to cease. This letter was provided as mitigation in Respondent's favor by The Bar as Exhibit 17.

III. RECOMMENDATIONS AS TO GUILT

I recommend that Respondent be found guilty of violating the following Rules Regulating The Florida Bar:

Rule 4-1.2 (Objectives and Scope of Representation);

Rule 4-1.3 (Diligence);

Rule 4-1.4 (Communication);

Rule 4-1.16 (Declining or Terminating Representation);

Rule 4-3.4(c) (Fairness to Opposing Party and Counsel);

Rule 4-8.1 (Bar Admission and Disciplinary Matters); and

Rule 4-8.4(d) (Misconduct).

IV. PERSONAL HISTORY AND PAST DISCIPLINARY RECORD

Before recommending discipline under R. Regulating Fla. Bar 3-7.6(m)(2)(D), I considered the following:

Personal History of Respondent:

Age: 62

Date admitted to the Bar: August 20, 2001.

Prior Discipline: no prior discipline.

V. STANDARDS FOR IMPOSING LAWYER SANCTIONS

I considered the following Standards for Imposing Lawyer Sanctions before recommending discipline:

400 Violations of Duties Owed to Clients

4.4 Lack of Diligence

4.4(b) Suspension. Suspension is appropriate when a lawyer causes injury or potential injury to a client by knowingly failing to perform services for a client.

600 Violations of Duties Owed to the Legal System

6.2 Abuse of the Legal Process

6.2(b) Suspension. Suspension is appropriate when a lawyer knowingly violates a court order or rule and causes injury or potential injury to a client or a party or causes interference or potential interference with a legal proceeding.

VI. FINDINGS OF AGGRAVATING AND MITIGATING FACTORS

I find the following aggravating factors:

3.2(b) Aggravation

(2) dishonest or selfish motive;

- (3) a pattern of misconduct;
- (6) submission of false evidence, false statements, or other deceptive practices during the disciplinary process;
- (8) vulnerability of the victim;
- (9) substantial experience in the practice of law;

I find the following mitigating factors:

3.3(a) Definition

- (a) Acceptance of responsibility for his misconduct by virtue of not contesting the imposition of discipline in this matter.

3.3(b) Mitigation

- (1) absence of a prior disciplinary record;

VII. CASE LAW

I considered the following case law before recommending discipline:

In The Florida Bar v. Culberson, 2025 WL 2942327 (Fla. Oct. 16, 2025) (Unpublished Disposition), the lawyer was suspended for 90 days for violating Rules 4-1.1 (competence), 4-1.3 (diligence), 4-3.3 (candor towards the tribunal), and 4-8.4(d) (prejudicial to the administration of justice). The lawyer represented a family in a probate matter in which a property was sold. Two years after the sale, the lawyer filed a homestead petition for the property, mistakenly believing it only impacted the heirs and the property prior to the sale. The lawyer failed to notify the court that the

property had been sold or that there were new interested parties, the current owners. The homestead status was granted, which placed a cloud on the title, causing the owners hardship. The lawyer was made aware of the cloud on title by the new owners, but failed to take action timely to mitigate the damage. The lawyer was the caretaker for her spouse who suffered a serious medical condition at the time of the new owners' contact and failed to act in the matter because of her familial obligations.

In The Florida Bar v. Finninen, 2024 WL 2862284 (Fla. June 6, 2024) (Unpublished Disposition), the lawyer was suspended for 90 days and was required to attend Ethics School and the Professionalism Workshop for violating rules 3-4.3 (misconduct and minor misconduct), 4-8.4(a) (violate the rules of professional conduct), 4-9.4(c) (engage in conduct involving dishonesty, fraud, deceit, or misrepresentation). The lawyer was general counsel for the Florida Department of Transportation. The lawyer forged signatures for employees on outgoing letters for the agency and acknowledged signing the letters. The lawyer signed the letters to avoid delay in moving forward with agency business. The lawyer was under stress and believed that he was attributing work product to the subordinate attorneys. The lawyer had no prior discipline, was cooperative with the bar during the disciplinary proceedings, remorseful, and his misconduct was an

isolated event. Leading up to the misconduct, the lawyer was the primary caregiver for his disabled mother who, after a prolonged illness, passed away around the time of the alleged misconduct.

In The Florida Bar v. Polk, 2019 WL 1397253 (Fla. March 28, 2019) (Unpublished Disposition), the Court approved a one-year suspension pursuant to a consent judgment for violating rules 3-4.3 (misconduct and minor misconduct), 4-1.2 (scope of representation), 4-1.3 (diligence), 4-1.4 (communication), 4-3.2 (expedite litigation, 4-3.4(c), (knowingly disobey rules of the tribunal), and 4-8.4(g) (failure to respond to The Florida Bar). The lawyer was court-appointed appellate counsel in a criminal case where he neglected the appeal, resulting in it being dismissed twice, and failed to communicate with the client. The lawyer failed to comply with court orders and failed to respond to the court's order to show cause. In aggravation, the lawyer had a prior disciplinary history, engaged in a pattern of misconduct, had multiple violations and was experienced in the practice of law.

VIII. RECOMMENDATION AS TO DISCIPLINARY MEASURES TO BE IMPOSED

I recommend that Respondent be found guilty of misconduct justifying disciplinary measures and he be disciplined by:

- A. 90-Day Suspension;

B. Attendance at the Professionalism Workshop, in person, where scheduled by The Bar within six (6) months of entry of the Florida Supreme Court's order approving this report and pay associated fees totaling \$750.00 before attendance;

C. Completion of the five-hour continuing legal education course entitled "Pressure Points: Ethical & Professional Decision-Making in the Real World of Law," of which includes three (3) hours of ethics and two (2) hours of professionalism credits, within sixty (60) days of entry of the Florida Supreme Court's order approving this report and pay the associated fees; and

D. Payment of The Bar's costs in these proceedings.

VIX. STATEMENT OF COSTS AND MANNER IN WHICH COSTS SHOULD BE TAXED

I find the following costs were reasonably incurred by The Bar:

Administrative fee	\$1,250.00
Court Reporters' attendance fees	\$ 480.00
Staff Investigator's costs	\$1,218.14
TOTAL	\$2,948.14

I recommend that the above costs be charged to Respondent and that interest accrue at the statutory rate. Respondent will be delinquent thirty (30) days after the judgment in this case becomes final unless Respondent pays the costs in full or The Board of Governors of The Florida Bar defers payment under R. Regulating Fla. Bar 1-3.6.

Dated this 11th day of February, 2026.



The Honorable Marie Elizabeth Mato
Referee

Filed with the Supreme Court of Florida via the Florida Courts E-Filing Portal with copies served via the Portal to:

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