

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Petitioner,

v.

MICHAEL JOSEPH MURPHY,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2025-70,439(11G)(OSC)

**THE FLORIDA BAR'S PETITION FOR CONTEMPT
AND ORDER TO SHOW CAUSE**

The Florida Bar (the bar) files this Petition for Contempt and Order to Show Cause and requests respondent, Michael Joseph Murphy, be permanently disbarred. To support this petition, the bar states:

1. Respondent was disbarred by Florida Supreme Court order dated April 28, 2004 in the matter styled *The Florida Bar v. Michael Joseph Murphy*, SC02-1749.

2. Beginning on May 3, 2024, respondent engaged in acts that constitute the practice of law, in violation of this Court's Order of Disbarment, as described *infra*.

3. On May 3, 2024, Mr. Jose Cortesi, the managing member of Blue Star Management Services, LLC, sent a formal notice of intent to impose a claim on former tenant Crystal Harris' security deposit.

4. Ms. Harris initially responded in her own behalf. Thereafter, on May 3, 2024, respondent sent a response stating, "Ladies and gentlemen by now you have had a chance to see the apartment and Ms. Harris videos which shows that the apartment was clean and there was no damages. You may charge for the late fee and legal notice only. Please refund the remaining balance of the deposit forthwith to Ms. Harris and end this now." Respondent signed the email "Michael Murphy, Esquire." Attached hereto as Exhibit "A" is the email from Michael Murphy, Esquire, sent on May 3, 2024.

5. Mr. Cortesi wrote back and requested a "letter of legal representation" from respondent. Respondent replied with a letter stating, "I represent Ms. Crystal Harris," and reiterating his statements in his prior email. This correspondence was signed Michael Murphy, Esquire. Attached hereto as Exhibit "B" is the letter from Michael Murphy, Esquire, dated May 3, 2024.

6. On May 6, 2024, after additional communications between the management company and Ms. Harris, respondent sent another email stating, "I have read the correspondence back and forth regarding your claims and your supporting pictures regarding alleged damages. I agree with Ms. Harris assessment and we stick by our original offer to pay the

designated items, NOTHING MORE! If you wish to discuss further, call me to discuss not Ms. Harris she is done talking to you all.” This email was signed Mike Murphy. Attached hereto as Exhibit “C” is the email from Mike Murphy, sent on May 6, 2024.

7. Respondent held himself out as an attorney, used the designation “Esquire” in his correspondence on behalf of Ms. Harris, claimed to represent Ms. Harris when asked for a letter of “legal representation,” and engaged in settlement negotiations on behalf of his client. These acts constitute the practice of law after respondent was disbarred. *See ie., The Florida Bar v. Norkin*, 399 So. 3d 312 (Fla 2024).

8. The other members of the bar should not have to pay for respondent’s noncompliance with this Court’s order and the instant proceeding. Therefore, the bar is requesting administrative costs of \$1,250.00 against respondent.

WHEREFORE, the bar respectfully requests this Court enter an order directing respondent, Michael Joseph Murphy, to show cause why Michael Joseph Murphy should not be held in contempt and be Permanently Disbarred, and assess costs in the amount of \$1,250.00 to The Florida Bar.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that this document has been filed via the Florida Courts E-Filing Portal with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida with a copy provided via the portal to Michael Joseph Murphy, at mmurphysofla@aol.com and mikemurphy7850@gmail.com; and that a copy has been provided by United States Mail via certified mail No. 7014 2120 0003 5157 4372, return receipt requested to Michael Joseph Murphy, whose record bar address is Law Offices of Samuel M. Spatzer, 4601 Ponce De Leon Blvd., Ste 310, Coral Gables, FL 33146-2112; and by United States Mail via certified mail No. 7014 2120 0003 5157 4389, return receipt requested to Michael Joseph Murphy at his other known address of 7850 Camino Real, Unit 0-101, Miami, Florida 33143; and to Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar, via email at psavitz@floridabar.org, on this 17th day of March, 2025.



Jennifer R. Falcone, Bar Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION
OF PRIMARY EMAIL ADDRESS**

The trial counsel in this matter is Jennifer R. Falcone, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Miami Branch Office, Ste. M100, Rivergate Plaza 444 Brickell Ave. Miami FL 33131, (305) 377-4445 and jfalcone@floridabar.org and nfroncko@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, Florida 32399-2300, psavitz@floridabar.org.

NOTICE OF MANDATORY ELECTRONIC FILING

All parties must file all pleadings, motions, and notices in this matter electronically, with a copy to the referee, through the Florida Courts E-Filing Portal, www.myflcourtagency.com, under Rule Regulating The Florida Bar 3-7.6(h)(5)(A) and (B).