

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant,

v.

ALEXIS FRANCISCO CARTER, JR.,

Respondent.

Supreme Court Case
No. SC24-0390

The Florida Bar File
No. 2023-30,144(5B)

AMENDED CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, Alexis Francisco Carter, Jr., and files this Amended 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 acting freely and voluntarily in this matter and tenders this plea without fear or threat of coercion. Respondent is not represented by counsel in this matter.

3. As to The Florida Bar Case Number 2023-30,144(5B), there has been a finding of probable cause by the Fifth Judicial Circuit Grievance

Committee “B.”

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

A. Public reprimand administered by publication in the *Southern Reporter*.

B. The respondent must attend the Professionalism Workshop, in person, where scheduled by the bar within 6 months of the order approving this consent judgment and pay associated fees totaling \$750.00 before attendance.

C. Payment of the bar’s disciplinary costs.

5. The following allegations and rules provide the basis for respondent’s guilty plea and for the discipline to be imposed in this matter:

A. In or around September 2020, Mr. Cardenas hired respondent to represent him in his criminal case, State of Florida v. Cardenas, Case No. 2019-CF-14766, in the Circuit Court of the Ninth Judicial Circuit, in and for Orange County, Florida.

B. When Mr. Cardenas hired respondent, he was operating a private legal practice with an office located in Longwood, Florida.

C. Mr. Cardenas was also represented by at least two other lawyers during the pendency of his criminal case and respondent was

never the lead defense counsel.

D. Mr. Cardenas was incarcerated during the duration of the matters described and often communicated with respondent through his family members.

E. Mr. Cardenas' family members initially paid respondent \$10,000.00 and then later paid an additional \$20,000.00.

F. At the time of the bar's investigation, respondent did not have a signed copy of the fee agreement. However, respondent advised that a fee agreement was executed by Mr. Cardenas or a member of his family.

G. Mr. Cardenas reported to the bar that he was not provided a copy of the fee agreement.

H. Between September 2020 and October 2021, respondent participated in Mr. Cardenas' defense proceedings and visited with the complainant at the jail on multiple occasions.

I. Prior to October 2021, respondent informed Mr. Cardenas that he would be winding down his private practice to go work for the Office of the State Attorney in the Ninth Judicial Circuit.

J. Respondent stated that he notified Mr. Cardenas, Mr. Cardenas' parents, and both co-counsels, of his forthcoming change

in employment.

K. Prior to his employment with the Office of the State Attorney, respondent did not file a motion to withdraw from Mr. Cardenas' case.

L. Because the trial court never entered an order withdrawing respondent, Mr. Cardenas reported to the bar that he believed that the employment with the Office of the State Attorney did not come to fruition.

M. In or around November 2021, respondent began working for the Office of the State Attorney for the Ninth Judicial Circuit in the Conviction Integrity Unit.

N. In June 2022, respondent was officially sworn in as an Assistant State Attorney and became the Deputy Chief of Public Accountability.

O. While employed with the Office of the State Attorney, respondent did not participate in the complainant's defense; to wit he did not attend any hearings or depositions on the complainant's behalf.

P. Respondent is not aware of whether the Office of the State Attorney put in place any sort of virtual "wall" between

respondent and his ability to access Mr. Cardenas' criminal case being prosecuted by the same office.

Q. Respondent stated that his role at the Office of the State Attorney was mostly supervisory and did not involve Mr. Cardenas' prosecution nor with the specific division that was handling the case.

R. Respondent stated that he had not heard from Mr. Cardenas or his family from on or around November 10, 2021, until the filing of The Florida Bar complaint in or around September 2022.

S. However, respondent acknowledged that an assistant from co-counsel's office in Mr. Cardenas' criminal matter contacted him to coordinate depositions during the time that he was employed with the Office of the State Attorney.

T. Respondent's employment with the Office of the State Attorney ended in February 2023.

U. After concluding his employment with the Office of the State Attorney, respondent visited Mr. Cardenas in the jail at least three times.

V. Respondent offered to rejoin Mr. Cardenas' defense team, but Mr. Cardenas rejected respondent's offer.

W. In or around August 2023, respondent filed his Motion to

Withdraw indicating that Mr. Cardenas was unavailable to sign.

Respondent did not seek Mr. Cardenas' signature prior to the filing of the motion.

X. Approximately five months later, on February 5, 2024, respondent filed a new Motion to Withdraw that was signed by Mr. Cardenas. A court order granting the motion was entered on February 8, 2024.

Y. After the filing of the bar complaint, in or around July 2023, respondent offered to refund Mr. Cardenas and his family \$20,000.00 of the fee with the condition that he withdraw his bar complaint. After learning that the offer, as proposed, would be a violation of the Rules Regulating The Florida Bar, respondent took no further action.

Z. In his response dated September 20, 2022, respondent indicated on the mandatory certificate of disclosure form that he was a solo practitioner and did not report that he was actively employed with the Office of the State Attorney at the time of disclosure.

AA. On or about February 2024, Mr. Cardenas reported that respondent issued a partial refund of a satisfactory amount to Mr. Cardenas and his family.

6. The following rules provide the basis for the discipline in this matter: 3-4.3 (Misconduct and Minor Misconduct), 4-1.3 (Diligence), 4-1.4(a) and (b) (Communication), 4-1.16(d) (Declining or Terminating Representation), and 4-8.4(d) (Misconduct).

7. In mitigation, respondent has no prior disciplinary history during his 14 years as a member of the bar [Standard 3.3(b)(1)]; he did not display a dishonest or selfish motive [3.3(b)(2)]; he participated in a sworn statement and was cooperative with the bar's investigation [3.3(b)(5)]; he is a well-respected lawyer who is currently in active-duty service with the United States Army and complainant's mother thanked him for his legal representation [3.3(b)(7)]; and, he has shown remorse for his conduct as evidenced by his attempt to resolve the issues with complainant and sought information on how to memorialize any potential agreement and [3.3(b)(12)] Respondent provided restitution by refunding a portion of the client's fee.

8. In aggravation, respondent has substantial experience in the practice of law, having been admitted on September 30, 2009 [Florida's Standards for Imposing Lawyer Sanctions 3.3(b)(9)].

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

10. If this plea is not finally approved by the referee and the

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

11. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.9(q) in the amount of \$3,269.60. 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.

12. 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 may reflect adversely on any reinstatement proceedings or any other bar disciplinary matter in which respondent is

involved.

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

DATED this _____ day of _____, 2025.

Alexis F. Carter

Alexis Francisco Carter, Jr.
Respondent
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DATED this 12th day of June, 2025.



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