

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

ROLANDO ENRIQUE RODRIGUEZ,

Respondent.

**Supreme Court Case
No. SC-**

**The Florida Bar File
No. 2015-30,071 (18B)**

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

**COMES NOW, the undersigned respondent, Rolando Enrique Rodriguez,
and files this 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 currently the subject of a Florida Bar disciplinary
matter which has been assigned The Florida Bar File No. 2015-30,071 (18B).
Respondent waives the right to a probable cause hearing before a grievance
committee and stipulates to a finding of probable cause in reference to this matter.**
- 3. Respondent is acting freely and voluntarily in this matter, and tenders
this Plea without fear or threat of coercion. Respondent is represented in this
matter.**

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

- A. Ninety day suspension from the practice of law;**
- B. Attendance at Ethics School within 6 months of the Court's order; and,**
- C. Payment of the bar's disciplinary costs.**

5. Respondent acknowledges that, unless waived or modified by the Court on motion of respondent, the court order will contain a provision that prohibits respondent from accepting new business from the date of the order or opinion and shall provide that the suspension is effective 30 days from the date of the order or opinion so that respondent may close out the practice of law and protect the interest of existing clients.

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

A. Respondent and complainant served in the military reserves together. After complainant retired from the reserves, he contacted respondent and asked him to represent him in an uncontested divorce. Respondent advised complainant that he had no experience in this area of law and that it would take him additional time to handle the matter, since he would need to become competent in this area of law. The complainant still wished for respondent to

represent him. In or around June of 2013, complainant provided respondent with the terms he and his estranged wife had agreed to in regards to the divorce. Complainant asked respondent to draft the necessary paperwork. Thereafter, respondent failed to diligently handle the matter and failed to maintain adequate communication with his client. The client grew increasingly dissatisfied with the lack of progress and lack of communication and demanded that respondent file the case as soon as possible. Respondent did not file the petition for dissolution of marriage until March 2014. Respondent believed that he had his client's authorization to sign the client's name to the financial affidavit and marital settlement agreement in order that these documents could be filed and the case could be resolved without further delay. Respondent signed his client's name and notarized the documents himself. Respondent filed the documents with the court. The complainant's estranged wife became concerned when she did not recognize the signature purporting to be her husband's on her copy of the filed documents and contacted complainant. There is no evidence that the documents signed and notarized by respondent were inaccurate or that respondent was attempting to mislead or defraud the parties or the court, but rather it was respondent's attempt to resolve the client's matter without further delay.

B. Respondent admits his misconduct violated the following Rules Regulating The Florida Bar:

i. 3-4.3 The standards of professional conduct to be observed by members of the bar are not limited to the observance of rules and avoidance of prohibited acts, and the enumeration herein of certain categories of misconduct as constituting grounds for discipline shall not be deemed to be all-inclusive nor shall the failure to specify any particular act of misconduct be construed as tolerance thereof. The commission by a lawyer of any act that is unlawful or contrary to honesty and justice, whether the act is committed in the course of the attorney's relations as an attorney or otherwise, whether committed within or outside the state of Florida, and whether or not the act is a felony or misdemeanor, may constitute a cause for discipline.

ii. 4-1.3 A lawyer shall act with reasonable diligence and promptness in representing a client.

iii. 4-1.4(a) A lawyer shall: (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in terminology, is required by these rules; (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished; (3) keep the client reasonably informed about the status of the matter; (4) promptly comply with reasonable requests for information; and (5) consult with the client about any relevant limitation on the lawyer's conduct when

the lawyer knows or reasonably should know that the client expects assistance not permitted by the Rules of Professional Conduct or other law.

iv. 4-3.2 A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client.

v. 4-8.4(d) A lawyer shall not engage in conduct in connection with the practice of law that is prejudicial to the administration of justice.

7. In mitigation, respondent has no prior disciplinary record [9.32(a)]; he did not display a dishonest or selfish motive [9.32(b)]; he was forthcoming and cooperative during the disciplinary process [9.32(e)]; and, he is inexperienced in the practice of law [9.32(f)].

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

9. If this plea is not finally approved by the Board of Governors of The Florida Bar and the Supreme Court of Florida, then it shall be of no effect and may not be used by the parties in any way.

10. If this plea is approved, then respondent agrees to pay all reasonable costs associated with this case pursuant to Rule 3-7.6(q) in the amount of \$1,261.60 and attend the next scheduled Ethics School and pay the applicable registration fee. 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.

11. 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 or restitution will reflect adversely on any other bar disciplinary matter in which respondent is involved.

12. If this plea is approved, and restitution is owed, if the person to whom restitution is owed cannot be located after a diligent search, respondent shall execute an affidavit of diligent search and provide same to The Florida Bar and shall pay the full amount of the restitution to the Clients' Security Fund of The Florida Bar within 30 days of the date of the affidavit of diligent search.

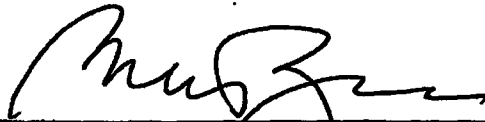
13. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar.

Dated this 15 day of MAY, 2015.



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Dated this 18 day of May, 2015.



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Dated this 18th day of May, 2015.



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