

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

DAVID RICHARD DAMORE,

Respondent.

Supreme Court Case
No. SC-

The Florida Bar File
No. 2015-30,629 (19A)

CONDITIONAL GUILTY PLEA FOR CONSENT JUDGMENT

COMES NOW, the undersigned respondent, David Richard Damore, 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 matters which have been assigned The Florida Bar File Nos. 2015-30,629 (19A) and 2015-30,765 (19A).

3. As to The Florida Bar File Nos. 2015-30,629 (19A) and 2015-30,765 (19A), there has been a finding of probable cause by the Nineteenth Judicial Circuit Grievance Committee "A."

4. The bar agrees to dismiss The Florida Bar file number 2015-30,765 (19A) with prejudice.

5. 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.

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

A. Sixty day suspension with automatic reinstatement.

7. 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.

8. 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 represented a criminal defendant in serious felony charges. Respondent had represented the client several times in criminal matters over the preceding years. In lieu of payment of legal fees, the client agreed to execute a quit claim deed in favor of respondent. The client was in

jail at the time respondent met with him. The client executed the quit claim deed without the notary and witnesses being present. The client, however, agreed to verify his signature by telephone to the notary for purposes of verification of the deed. Afterwards, respondent directed his nonlawyer employee to verify the client's signature and to secure the signature of witnesses despite the fact they did not see the client sign the quit claim deed. Respondent directed his nonlawyer employee who was a notary public to notarize the deed despite the fact that she did not see the client execute the document. Respondent then caused the quit claim deed to be recorded in the public records. The client never denied the signing of the deed and did not complain about the transaction, until six months later, after respondent negotiated a favorable plea agreement with the Office of the State Attorney.

B. Wherefore, by reason of the foregoing, respondent has violated the following Rules Regulating The Florida Bar:

C. 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.

D. 4-8.4(c) A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation, except that it shall not be professional misconduct for a lawyer for a criminal law enforcement agency or regulatory agency to advise others about or to supervise another in an undercover investigation, unless prohibited by law or rule, and it shall not be professional misconduct for a lawyer employed in a capacity other than as a lawyer by a criminal law enforcement agency or regulatory agency to participate in an undercover investigation, unless prohibited by law or rule.

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 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.

11. 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

\$1,871.80. 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 or restitution will reflect adversely on any other bar disciplinary matter in which respondent is involved.

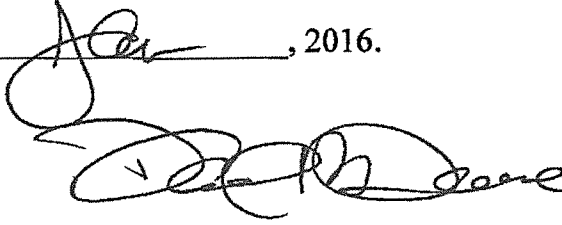
13. If this plea is approved, and restitution is owed, if the person to whom restitution is owed cannot be located after a diligent search, respondent shall execute an affidavit of diligent search and provide same to The Florida Bar and shall pay the full amount of the restitution to the Clients' Security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

14. This Conditional Guilty Plea for Consent Judgment fully complies with all requirements of the Rules Regulating The Florida Bar. While not listed as mitigation in the Florida Standards for Imposing Lawyer Sanctions, the fee charged in this matter was reasonable under the factual circumstances and that the client specifically asked respondent to represent him based upon their long-standing relationship.

15. In mitigation, respondent displayed a cooperative attitude toward proceedings [Florida Standard for Imposing Lawyer Sanctions 9.32(e)], respondent has a good reputation in the community [Florida Standard for Imposing Lawyer Sanctions 9.32(g)], respondent is remorseful for his conduct [Florida Standard for Imposing Lawyer Sanctions 9.32(l)] and respondent's prior discipline of a public reprimand is remote in time, having been issued in 1989 [Florida Standard for Imposing Lawyer Sanctions 9.32(m)].

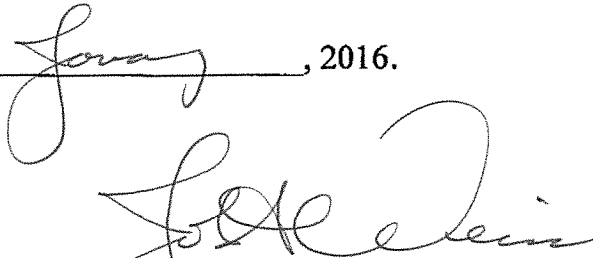
16. In aggravation, respondent has substantial experience in the practice of law, admitted since 1974 [Florida Standard for Imposing Lawyer Sanctions 9.22(i)].

Dated this 21st day of Jan, 2016.



David Richard Damore
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Dated this 21st day of Jan, 2016.



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Dated this 20th day of January, 2016.

A handwritten signature in cursive script that reads "Carrie C. Lee".

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