



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

John F. Harkness, Jr.
Executive Director

Joshua E. Doyle
Executive Director Designate

November 21, 2017

Mr. John Metz
306 Gulf Drive South
Bradenton Beach, FL 34217

Re: Complaint by John Metz against Ricinda Hope Perry
The Florida Bar File No. 2018-10,118 (12B)

Dear Mr. Metz:

All correspondence and documents submitted in this matter have been carefully reviewed. You alleged Ms. Perry committed plagiarism by incorporating several portions verbatim from the Florida Planning Officials Handbook in an unsolicited email under the inference and implication that it was her analysis. Ms. Perry has responded to your allegations.

Ms. Perry contended that she shared relevant portions of a public record for her client and the entire public record to the City Clerk for use by the City. Ms. Perry maintained that she proffered that the relevant portion of the public records was an analysis of the issue and not that it was her analysis.

If the Bar seeks to discipline a lawyer, it is required by Supreme Court ruling to show, by “clear and convincing” evidence that there has been a violation of one or more of the Rules Regulating The Florida Bar. Clear and convincing evidence has been defined as “evidence so clear, direct and weighty and convincing as to enable [the factfinder] to come to a clear conviction, without hesitancy, of the truth of the precise facts in issue.” This burden of proof is heavier than the burden of proof required in an ordinary civil trial. The information provided does not establish by clear and convincing evidence that Ms. Perry has violated any of the Rules Regulating the Florida Bar.

After careful consideration, I conclude that there is insufficient evidence from the materials provided that Ms. Perry has violated any of the rules adopted by the Supreme Court of Florida which govern attorney discipline. Accordingly, continued disciplinary proceedings in this matter are inappropriate and our file has been closed effective November 20, 2017.

Please be advised that my action does not preclude you from consulting with private counsel, nor does it preclude you from exercising any legal remedy which may be available to you.

Pursuant to the Bar's records retention schedule, the computer record and file will be disposed of one year from the date of closing.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard W. Coombs".

Richard W. Coombs, Bar Counsel
Attorney Consumer Assistance Program
ACAP Hotline 866-352-0707

cc: Ms. Ricinda Hope Perry