

February 28, 2011

Paul F. Hill, General Counsel
The Florida Bar
651 East Jefferson Street
Tallahassee, FL 32399-2300

RE: Dennis Dale Correa, Bar ID No.: 146321
Resigned in Lieu of Disciplinary Proceedings

Dear Mr. Hill:

Thank you for your response of September 27, 2010.

It appears from your response that the Florida Bar failed to inform Mr. Correa's victims about the Clients' Security Fund, how to make a claim, and any time limitation. Your response cited a two year time limitation to apply to the fund.

A number of Mr. Correa's victims live out of state, or are disabled, or elderly and not in a position to know or understand the Bar's rules. I believe the Florida Bar should have informed Mr. Correa's victims about the Clients' Security Fund. Insofar as Mr. Correa's victims were disabled or elderly, they may have rights under chapter 825, Florida Statutes, Abuse, Neglect, and Exploitation of Elderly Persons and Disabled Adults.

Mr. Correa promised to repay his victims. That was the argument for probation in lieu of his incarceration. Mr. Correa was supposed to obtain a job with a six-figure salary and repay his victims in full. In 1993 the Department of Corrections, which oversees Correa's probation, established a "suggested schedule" of restitution of \$3,198 a month.

The Order of Probation signed by Circuit Judge Claire K. Luten November 8, 1993 has special condition (15) which states "You will make restitution in the amount of \$909,810.77 to the victims." A copy of the Order is enclosed.

An Order of Modification of Probation May 28, 2009 reduced Mr. Correa's restitution payments to \$350 per month. (copy enclosed). At this rate Mr. Correa will never be able to make full restitution. The Order has another curiosity, item no. 3: "After the victims of all of the counts have been paid in full, any additional monies paid shall be distributed to the Florida Bar Association as reimbursement to their Client's Compensation Fund." Does this mean the Client's Security Fund?

Did any of Mr. Correa's victims receive payment from the Bar's Client's Security Fund? If so, this is a request for those records pursuant to Rule 7-5.1(b).

The Order of Modification of Probation May 28, 2009 reduced Mr. Correa's restitution payments to \$350 per month. In my personal opinion this modification should be

considered a new loss since it precludes Mr. Correa from ever making full restitution. Under this scenario the two year time period for Mr. Correa's victims to make a claim would run until May 28, 2011. If this is the case kindly provide the necessary claim forms to the heirs of the Myrtle Trembley trust so they can make a timely claim to the fund.

Mr. Hill, your response failed to answer my question about why the Florida Bar and/or the Florida Courts did not require Mr. Correa to pay interest on the money he stole and owed to his former clients. I am question why the victims did not receive a money judgment against Mr. Correa for the amount of their loss.

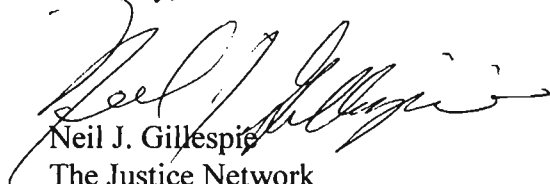
The statutory interest rate for money judgments is established under §55.03, Florida Statutes. The interest rate in effect from October 1, 1981 through December 31, 1994 was 12%. Mr. Correa was convicted in 1993 when the statutory interest rate was 12%.

Mr. Correa stole \$391,000 from the Myrtle Trembley trust. If a judgment of \$391,000 had been obtained against Mr. Correa, and interest accrued at the 12% prevailing statutory interest rate, simple interest on the principal today would be about \$844,560 assuming Mr. Correa paid nothing on the principal. The Department of Corrections will not release records showing how much restitution Mr. Correa has made.

Mr. Correa may never make restitution. However a life insurance policy on Mr. Correa benefiting the heirs could ensure that when Correa died his victims would be reimbursed. This is one reason for a judgment with interest against Mr. Correa for his victims.

Thank you in advance for your response to the issues raised herein.

Sincerely,



Neil J. Gillespie
The Justice Network
8092 SW 115th Loop
Ocala, Florida 34481

cc: Mr. Charles H. Dent, Jr.
Post Office Box 447
John Street
Mifflinville, PA 18631

Enclosures

JUDGE CLAIRE K. LUTEN

CIRCUIT COURT, PINELLAS COUNTY, FLORIDA
CRIMINAL DIVISION

CASE NO. CRC93-07005CFANO-I

STATE OF FLORIDA
VS.

ORDER OF PROBATION

DENNIS CORREA
SPN: 1073379

This cause coming on this day to be heard before me, and you, the defendant, DENNIS CORREA, being now present before me, and you having:

- { XX } ENTERED A PLEA OF GUILTY TO
- { } ENTERED A PLEA OF NOLO CONTENDERE TO
- { } BEEN FOUND GUILTY BY THE VERDICT OF A JURY OF
- { } BEEN FOUND GUILTY BY THE COURT TRYING THE CASE WITHOUT A JURY OF

the offense of GRAND THEFT (5 COUNTS), THE DEFENDANT BEING PRESENT AND WITH COUNSEL, SHAWN BURKLIN

SECTION 1: Judgment of Guilt

XX The Court hereby adjudges you to be guilty of the above offense(s)

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on probation for a period of 30 YEARS AS TO COUNTS 1-2-3- EACH COUNT CONCURRENT- 15 YEARS AS TO COUNTS 4 -5 TO RUN CONCURRENT WITH COUNTS 1-2-3. under the supervision of the Department of Corrections, subject to Florida law.

SECTION 2: Order Withholding Adjudication

Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld and that you be placed on probation for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.

SECTION 3: Probation During Portion of Sentence

It is hereby ordered and adjudged that you be

_____ committed to the Department of Corrections

_____ confined in the County Jail

for a term of _____. After you have served balance of the term you shall be placed on probation for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.

IT IS FURTHER ORDERED that you shall comply with the following conditions of probation:

- (1) Not later than the fifth day of each month, you will make a full and truthful report to your Probation Officer on the form provided for that purpose.
- (2) You will pay to the State of Florida the amount of Fifty Dollars (\$50.00) per month toward the cost of your supervision unless otherwise waived in compliance with Florida Statutes.
- (3) You will not change your residence or employment or leave the county of your residence without first procuring the consent of your Probation Officer.
- (4) You will neither possess, carry, or own any weapon or firearm without first securing the consent of your Probation Officer.
- (5) You will live and remain at liberty without violating any law. A conviction in a court of law shall not be necessary in order for such a violation to constitute a violation of probation.
- (6) You will not use intoxicants to excess; nor will you visit places where intoxicants, drugs, or other dangerous substances are unlawfully sold, dispensed or used.
- (7) You will work diligently at a lawful occupation and support any dependents to the best of your ability, as directed by your Probation Officer.
- (8) You will promptly and truthfully answer all inquiries directed to you by the Court or the Probation Officer, and allow the Officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions he may give you.
- (9) You will pay to First Step, Inc. the sum of Twelve Dollars (\$12.00) per year for each year of probation ordered, on or before ninety days from the date of this Order.
- (10) You will pay attorney fees and costs assessed against you in this case under F.S. 27.56 and 925.036 in the amount of \$_____ on or before _____ or at least 60 days before your probation/community control terminates, whichever occurs first. THIS IS NOT A CONDITION.
- (11) Probation may not be transferred out of State without express Court approval until all Court ordered and assessed monetary obligations are satisfied.
- (12) You will submit to random testing as directed by the supervising officer or the professional staff of the treatment center where you are receiving treatment to determine the presence of alcohol or controlled substances.
- (13) You shall submit to and pay for an evaluation to determine whether or not you have any treatable problem with alcohol and/or any illegal drug. If you have said problem, you are to submit to, pay for, and successfully complete any recommended treatment program as a result of said evaluation, all to be completed at the discretion of your Probation Officer.

SPECIAL CONDITIONS:

- (14) You will continue with psychological counseling.
(15) You will make restitution in the amount of \$909,810.77 to the victims.

Statutory costs are hereby waived.

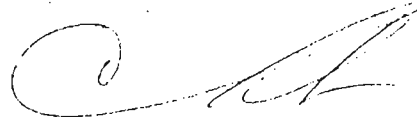
You are hereby placed on notice that the Court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision; and that if you violate any of the conditions of your probation, you may be arrested and the Court may revoke your probation and impose any sentence which it might have imposed before placing you on probation.

IT IS FURTHER ORDERED that when you have reported to the Probation Officer and have been instructed as to the conditions of probation you shall be released from custody if you are in custody and if you are at liberty on bond, the sureties thereon shall stand discharged from liability.

IT IS FURTHER ORDERED that the Clerk of this Court file this Order in his office, record the same in the Minutes of the Court, and forthwith provide certified copies of same to the Probation Officer for his use in compliance with the requirements of law.

The defendant is advised of the right to appeal.

DONE AND ORDERED IN OPEN COURT, this the 8th day of
NOVEMBER, 1993.



JUDGE

I acknowledge receipt of a certified copy of this Order and that the conditions have been explained to me.

Date: _____

Probationer

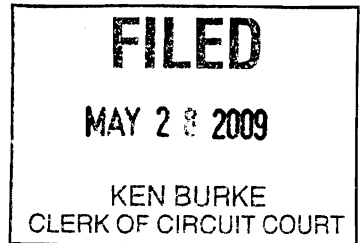
Instructed by: _____

(PRB-7/92)

CF

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY

CRC93-07005CFANO-I



STATE OF FLORIDA :
v. : VIOLATION OF PROBATION
DENNIS D. CORREA :
SPN 01073379 :

ORDER OF MODIFICATION OF PROBATION

This cause coming on to be heard and upon agreement of the parties to a modification of the defendant's probation, it is thereupon

ORDERED AND ADJUDGED that

1. The defendant will pay payments of \$350.00 per month toward his outstanding restitution obligation.
2. The \$350.00 payments will be applied to all counts until the termination of probation or until paid in full.
3. After the victims of all of the counts have been paid in full, any additional monies paid shall be distributed to the Florida Bar Association as reimbursement to their Client's Compensation Fund.

DONE AND ORDERED in Pinellas County, Florida, this 28th day of May, 2009.



CIRCUIT JUDGE

cc Gregory L. "Skip" Olney, II, Esq.
James A. Hellickson, Assistant State Attorney
Department of Corrections