



JEANNE M. SINGER
CHIEF ASSISTANT STATE ATTORNEY

120 WEST UNIVERSITY AVENUE
GAINESVILLE, FLORIDA 32601

DAVID REMER
EXECUTIVE DIRECTOR

WILLIAM P. CERVONE
STATE ATTORNEY
EIGHTH JUDICIAL CIRCUIT OF FLORIDA
SERVING
ALACHUA, BAKER, BRADFORD, GILCHRIST, LEVY
AND UNION COUNTIES

TELEPHONE (352) 374 - 3670

PLEASE REPLY TO:

May 6, 2011

Neil J. Gillespie
8092 SW 115 Loop
Ocala, FL 34481

Dear Mr. Gillespie:

Thank you for your letter of April 23, 2011, concerning Robert W. Bauer.

There are several considerations that you need to be aware of. First of all, given the case loads that we have and the resources with which we can deal with them the delay in responding to your letter that you are concerned about is not in my view significant. We must always prioritize cases that we handle in addition to which court calendars often prevent immediate responses.

Perhaps more to the point, the required procedure in this jurisdiction for investigation of a complaint such as yours is that it be forwarded to the law enforcement agency having jurisdiction. That agency is charged with the responsibility of looking into the allegations, determining whether sufficient evidence exists to present a criminal case, and, if so, bringing their results to us either through an arrest or other complaint. Mine is not an investigative agency but rather a prosecutorial one. From glancing through the material you sent, I am unable to determine which agency is most appropriate, and would suggest if you have not already done so that you contact either the Gainesville Police Department or Alachua County Sheriff's Department. Finally, because Mr. Kramer was involved in this matter through the Bar Grievance process, it would not be appropriate in my view for him to handle any further aspect of it. Doing so would subject him to criticism as having already made a determination without having an independent or objective view.

I hope that this information assists you.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Cervone", written over a white background.

William P. Cervone
State Attorney

WPC/am