



**BEFORE THE BOARD OF DISCIPLINARY APPEALS  
APPOINTED BY  
THE SUPREME COURT OF TEXAS**

**IN THE MATTER OF** §  
**PERRY CORTESE** § **CAUSE NO. 59813**  
**STATE BAR CARD NO. 00790508** §

**INTERLOCUTORY ORDER OF SUSPENSION**

On the 25<sup>th</sup> day of January 2018, the above-styled and numbered compulsory disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline of the State Bar of Texas appeared by attorney and announced ready. Respondent, Perry Cortese, although having answered and being duly cited to appear with notice of the hearing, failed to appear. All questions of fact as well as all issues of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, Perry Cortese, whose State Bar Card number is 00790508, is licensed by the Supreme Court of Texas to practice law but is not currently authorized to practice law in the State of Texas due to administrative suspension.
- (2) On or about September 24, 2015, Respondent was charged by Superseding Indictment with Wire and Mail Fraud Conspiracy and International Money Laundering Conspiracy, in Cause No. 8:15-cr-320-T-23TGW, styled *United States of America v. Perry Don Cortese*, in the United States District Court, Middle District of Florida, Tampa Division.
- (3) On or about October 20, 2017, a Judgment in a Criminal Case was entered in Cause No. 8:15-cr-320-T-23TGW, styled *United States of America v.*

*Perry Don Cortese*, in the United States District Court, Middle District of Florida, Tampa Division, wherein Respondent was found guilty of Conspiracy to Commit Mail and Wire Fraud in violation of 18 U.S.C. §§ 1341, 1343 and 1349 and Conspiracy to Commit Money Laundering in violation of 18 U.S.C. §§1956(a)(2)(A), 1956(a)(2)(B)(i) and 1956(h) and was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 300 months, 240 months as to Count one and 60 months as to Count two, each count consecutive to the other, and ordered to pay \$3,767,196.00 in restitution. Upon release from imprisonment, Cortese will be on supervised release for a term of 36 months.

- (4) Respondent, Perry Cortese, is the same person as the Perry Don Cortese who is the subject of the criminal case described above.
- (5) Respondent has appealed the criminal conviction.
- (6) Respondent filed his answer and general denial *pro se* on January 8, 2018 and stated that he could not appear at the hearing before the Board of Disciplinary Appeals.

Conclusions of Law. Based upon the foregoing findings of facts the Board of

Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) ("TRDP");
- (2) Respondent, Perry Cortese, having been convicted of Conspiracy to Commit Mail and Wire Fraud and Conspiracy to Commit Money Laundering, has been convicted of Intentional Crimes as defined by TRDP 1.06(T).
- (3) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(AA).
- (4) Having been found guilty and convicted of Intentional and Serious Crimes and having appealed such conviction, Respondent, Perry Cortese, should have his license to practice law in Texas suspended during the appeal of his criminal conviction. TRDP 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Perry

Cortese, State Bar Card No. 00790508, is hereby **SUSPENDED** from the practice of law in the State of Texas effective immediately upon entry of this order and continuing hereafter until further order of this Board.

It is further **ORDERED, ADJUDGED** and **DECREED** that Respondent, Perry Cortese, during said suspension is hereby prohibited, effective immediately, from practicing law in Texas, holding himself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services not completed before the date of this order, appearing as counsel in any proceeding in any Texas court or before any Texas administrative body, or holding himself out to others or using his name, in any manner, in conjunction with the words “attorney,” “counselor,” or “lawyer.”

It is further **ORDERED** that Respondent, Perry Cortese, shall notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Perry Cortese, has any legal matter pending, if any, of his suspension, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also **ORDERED** to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711. Respondent is further **ORDERED** to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating wither (a) that each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Perry Cortese, has any legal matter pending, if any, of his suspension, has been notified or (b) that

Respondent has no legal matters pending in any court.

It is further **ORDERED** that Respondent, Perry Cortese, shall immediately notify each of his current clients, if any, in writing, of his suspension. In addition to such notification, Respondent is **ORDERED** to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former clients with active cases pending, if any, to those respective clients or former clients with active cases pending within thirty (30) days after the date of this Order. Respondent is further **ORDERED** to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating either (a) that all current clients have been notified of his suspension and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients with active cases pending have been returned as ordered herein or (b) that Respondent has no current clients, files, or papers, and that any unearned fees paid in advance or other monies or properties belonging to clients have previously been returned to the appropriate client. If Respondent is unable to return any file, papers, money or other property to any client or former client with active cases pending, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property. Respondent is also **ORDERED** to mail a copy of all notification letters to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent, Perry Cortese, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of

the Chief Disciplinary, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

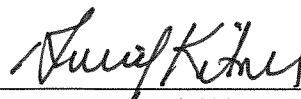
It is further **ORDERED** that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Order, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further **ORDERED** that this Order is interlocutory and that the Board retains jurisdiction to enter a final judgment when the appeal of the criminal conviction is final. *In the Matter of Mercier*, 242 SW 3d 46 (Tex. 2007).

It is further **ORDERED** that Respondent shall promptly notify the Board and the State Bar of Texas Chief Disciplinary Counsel when the appeal of the criminal conviction is final.

It is further **ORDERED** that the Chief Disciplinary Counsel of the State Bar of Texas shall monitor the status of the appeal of the criminal conviction on at least a quarterly basis and promptly file an appropriate motion for entry of final judgment with the Board if and when the appeal of the criminal conviction is final.

Signed this 24 day of January 2018.



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**CHAIR PRESIDING**