



The Justice Network

VIA US First Class Mail and
Email: claireluten@tampabay.rr.com

January 16, 2012

Claire K. Luten, of Counsel
Thomas W. Ruggles, P.A.
603 Indian Rocks Rd
Belleair, Florida 33756-2056

RE: Dennis Dale Correa, Florida Bar ID No. 146321

Dear Ms. Luten:

This inquiry is in reference to Dennis Dale Correa. As Pinellas Circuit Judge in 1993 you accepted a guilty plea from Mr. Correa, and adjudged him guilty of five counts of grand theft for stealing \$909,810.77 from his elderly clients. At Mr. Correa's sentencing you not only departed from the sentencing guidelines but gave Correa 30 years of probation, a lighter sentence than even his attorney had suggested. Mr. Correa was supposed to make restitution to his victims on the improbable basis of his obtaining a job paying six figures.

Would it surprise you to learn that Mr. Correa never got that big job? Or that Mr. Correa has made little restitution of the \$391,000 he stole from Myrtle D. Trembly?

Karin Wanich was the niece of Myrtle Trembly. Karen was disabled with cerebral palsy and used a wheelchair. When Aunt Myrtle died Karen waited for her inheritance but the money never came. Karen died a few years ago. Mr. Correa is alive and well, living in the community, but failed to make the restitution he promised you and his victims.

Even though Mr. Correa failed to make restitution, the courts have been kind to him. For example, in 2004 the Court amended his probation and allowed Mr. Correa interstate travel and other consideration. In 2009 the Court reduced Mr. Correa's total restitution payments to just \$350 a month. At that rate Ms. Trembly's family will never be made whole.

The executor of Ms. Trembly's estate, Harold Dent, expended considerable effort and expense trying to recover money Mr. Correa stole, but was unable to accomplish much before he died. Now his nephew, Charles H. Dent, Jr., has asked my assistance as an advocate on behalf of him

and the family. I am a volunteer and profiled the Correa case on my Justice Network website here <http://yousue.org/dennis-dale-correa/>

What can Mr. Dent and the family do now to recover money Mr. Correa stole 18 years after your lenient deal failed to work as planned?

For the past year I have sought information from the Florida Bar and its Clients' Security Fund (CSF). Jenny Jolinski responded on behalf of the Bar January 13, 2012, see enclosed.

Ms. Jolinski wrote "Please note that the payout amount originally provided by the Clients' Security Fund department was incorrect as the wrong column in the report was reported. The corrected amounts that were paid out from the fund on behalf of Dennis Correa to the claims referenced in your initial request are as follows: \$34,762, \$34,732, \$34,742, \$39,750.30. Pursuant to the regulations in place at the time, three of the claims were approved in the amount of \$50,000 and one claim was approved in the amount of \$39,750.30. An initial payment of \$10,000 was made upon approval. The remaining approved amount, \$40,000, \$40,000, \$40,000 and \$29,750.30, were pooled with all other excess amounts and paid on a pro rata basis at the end of the fiscal year (see regulation 20)."

The felony information filed November 8, 1993 by the State Attorney shows five counts of grand theft, see enclosed. Count One was Mr. Correa's theft from Ms. Trembly. Mr. Correa's other victims were the Denton and Elizabeth Turner Trust (Count Two), the Isaac H. Whittaker Trust, the Isabelle Newman Trust, and the Furman Thompkins Trust (Count Three), the Estate of Mildred Bauer (Count Four), and the Gladys Hoffman Trust (Count Five).

However the Bar's own records show that only four of the victims had claims paid by the CSF. There is no evidence that the Trembly family had a claim paid by the CSF.

In February 2011 Lori S. Holcomb of the CSF confirmed that "In fact, 4 clients made claims in a timely manner", but she refused to provide the names or amounts of the claims. I made a records request under Rule 7-5.1(b) but Ms. Holcomb replied "Information regarding the claimants is confidential. The Bar's retention policy for CSF claims is 3 years from the date of closing."

So there is concern that the Trembly family did not know about the CSF and was not given the opportunity to make a timely claim. The Trembly heirs live in Pennsylvania. Karin Wanich, an heir and the disabled niece of Ms. Trembly, is now deceased. The executor of the estate, Harold Dent, is now deceased. The surviving heirs are elderly and not in a position to know or understand the Bar's rules. I believe the Florida Bar should have informed the Trembly family about the Clients' Security Fund. What do you think Ms. Luten?

Another thing I do not understand, why did you as presiding judge fail to see that a money judgment was in place against Mr. Correa to secure restitution? This is done in all cases where one party owes another party money, and allows for the addition of interest to the judgment at the statutory interest rate established by § 55.03, Florida Statutes. The statutory interest rate in effect in 1993 was 12%. If a money judgment for \$391,000 was obtained against Mr. Correa, and Correa was required to pay the 12% prevailing statutory interest rate, simple interest on the principal would be \$844,560 over the past 18 years, assuming he paid nothing on the principal. A money judgment would also allow Correa's victims the right to conduct proceedings in aid of execution to collect the debt, and possibly locate any hidden assets. It is believed that Mr. Correa transferred assets like his home and boat in 1993 to avoid paying his victims.

A money judgment may also allow victims, who may have an "insurable interest" in the crooked lawyer until full restitution is made, the right to purchase life insurance equal to the amount of their insurable interest until the lawyer paid back the stolen money. Such victims would own the insurance policy, and be the beneficiaries of the policy's proceeds upon the lawyer's death.

This is just my personal opinion, not legal advice or legal opinion. But it is clear that your adjudication over this matter in 1993 simply allowed a crook to walk free. Now that the horse is out of the barn Ms. Luten, how can the Trembly family collect from Mr. Correa?

Sincerely,



Neil J. Gillespie
The Justice Network
8092 SW 115th Loop
Ocala, Florida 34481
Telephone: (352) 854-7807
Email: neilgillespie@mfi.net

cc: Mr. Charles H. Dent, Jr.
Post Office Box 447
802 John Street
Mifflinville, PA 18631
Telephone: (570) 752-3963
Email: redshorts802@yahoo.com

Attachments/Enclosures