

STATE OF FLORIDA  
DEPARTMENT OF PROFESSIONAL REGULATION

BOARD: Medicine  
CASE NO: 90-11699  
COMPLAINT MADE BY: D.P.R.  
DATE COMPLAINT RECEIVED: August 31, 1990  
COMPLAINT MADE AGAINST: Michael Gilbert, M.D.  
1200 Biscayne Boulevard  
Miami, Florida 33152  
REVIEWED BY: Randolph P. Collette  
Senior Attorney  
STAFF RECOMMENDATION: DISMISS (PL-82)

**CLOSING ORDER**

**THE COMPLAINT:** Complainant alleges that the Subject of the investigation was convicted or found guilty of a crime in any jurisdiction which directly relates to the practice of medicine or to the ability to practice medicine.

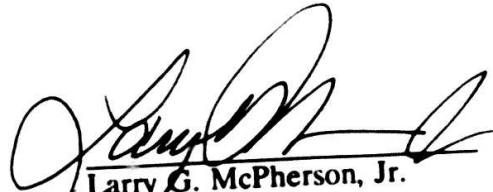
**THE FACTS:** Respondent was alleged to have been convicted in March of 1991 of bribery and sentenced to 364 days in jail, 18 months community control, and a fine. On February 11, 1992, the Third District Court of Appeals reversed the conviction and ordered a new trial.

**THE LAW:** There is sufficient evidence for the Panel to have found probable cause in the case. However, based upon the above facts, the Department has determined that there is insufficient evidence to support the prosecution of allegations contained there. Therefore, pursuant to Section 455.225(2), Florida Statutes, and Rule 21-31.001, Florida Administrative Code, this case is DISMISSED.

It is therefore, ORDERED that this matter should be and the same is hereby DISMISSED.

DONE and ORDERED this 23 day of February, 1992.

George Stuart  
Secretary

  
Larry G. McPherson, Jr.  
Chief Medical Attorney