



**FILED**

JAN 20 2010

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**STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT – LOS ANGELES**

In the Matter of	)	Case Nos.: <b>02-O-13160-PEM</b>
	)	(03-O-05017)
<b>DONALD JAMES LOFTUS</b>	)	
	)	<b>ORDER RE MOTION FOR RELIEF</b>
<b>Member No. 150417</b>	)	<b>FROM AND/OR EXTENSION OF TIME</b>
	)	<b>TO PAY COSTS</b>
<u>A Member of the State Bar.</u>	)	

On December 17, 2009, respondent **Donald James Loftus** filed a brief seeking relief from or extension of time to pay disciplinary costs associated with California Supreme Court Case No. S163947 (“Motion for Relief”).<sup>1</sup> Respondent’s motion was based on financial hardship as he is currently receiving financial assistance through the Food Stamps Program.

On January 8, 2010, Deputy Trial Counsel Dane C. Dauphine of the Office of the Chief Trial Counsel of the State Bar of California (“State Bar”) filed an opposition stating that the Motion for Relief did not provide a sufficient basis for further relief. On January 11, 2010, respondent filed a reply to the State Bar’s opposition.

After consideration of the parties’ moving papers, the court issues the following orders:

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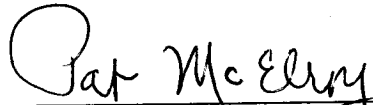
<sup>1</sup> The court previously ordered, on February 11, 2009, that the costs associated with Supreme Court Case No. S163947 be reduced by one-third, and that one-fifth of said costs be paid with respondent’s annual State Bar membership fees for the years 2010, 2011, 2012, 2013, and 2014.

1. Respondent's motion for relief from payment of disciplinary costs is **DENIED**, no good cause having been shown; and

2. Respondent's motion for extension of time to comply with the order to pay disciplinary costs is **GRANTED**. The court orders that respondent's time to pay the disciplinary costs associated with Supreme Court Case No. S163947 be extended and that one-fifth of said costs is to be paid with respondent's annual State Bar membership fees for the years 2011, 2012, 2013, 2014, and 2015. The court further **ORDERS** that, if respondent fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs remains enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**IT IS SO ORDERED.**

Dated: January 20, 2010

  
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PAT McELROY  
Judge of the State Bar Court

**CERTIFICATE OF SERVICE**

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on January 20, 2010, I deposited a true copy of the following document(s):

ORDER RE MOTION FOR RELIEF FROM AND/OR EXTENSION OF TIME TO  
PAY COSTS

in a sealed envelope for collection and mailing on that date as follows:

by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

DONALD J. LOFTUS  
4944 CASS ST UNIT 710  
SAN DIEGO, CA 92109

by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

by overnight mail at , California, addressed as follows:

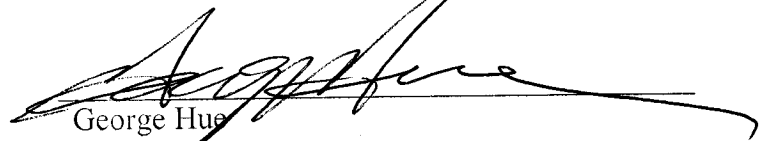
by fax transmission, at fax number . No error was reported by the fax machine that I used.

By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Dane Dauphine, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on January 20, 2010.

  
George Hue  
Case Administrator  
State Bar Court