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STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES

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

On January 3, 2011, respondent **Donald James Loftus** filed a motion seeking an extension of time to pay disciplinary costs associated with California Supreme Court case no. S163947¹ based on financial hardship. On January 21, 2010, Deputy Trial Counsel Monique T. Miller of the Office of the Chief Trial Counsel of the State Bar of California (State Bar) filed an opposition.

Having considered the parties' contentions, the court issues the following orders:

1. 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 2012, 2013,

¹ 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. A similar order was filed on January 20, 2010 extending the time to pay by an additional year.


2014, 2015, and 2016. 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. **Respondent is cautioned that this is the last time such an extension will be allowed;**

2. As to respondent's request to order the State Bar to accept his scaled annual dues payment if made after February 1, 2011, to the extent that this court has jurisdiction in that matter, the request is **DENIED** as untimely. Respondent has been aware of his financial situation – it is not new - and chose to file his request close to the deadline; and

3. As to respondent's contentions regarding errors in the Review Department's opinion issued on November 7, 2007, the Hearing Department does not have jurisdiction to address them.

IT IS SO ORDERED.

Dated: January 31, 2011



PAT McELROY
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 31, 2011, 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
4820 CASS ST APT 117
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:

Monique Miller, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on January 31, 2011.


George Hue
Case Administrator
State Bar Court