



~~CONFIDENTIAL~~
ORIGINAL

(Do not write above this line.)

PUBLIC MATTER

**State Bar Court of California
Hearing Department
Los Angeles**

PROGRAM FOR RESPONDENTS WITH SUBSTANCE ABUSE OR MENTAL HEALTH ISSUES

Counsel For The State Bar

Eric H. Hsu
Deputy Trial Counsel
1149 S. Hill Street
Los Angeles, CA 90015-2299
Tel: (213)765-1247

Case Number (s)
04-O-10846, 04-O-13941,
04-O-15194, 05-O-02095,
06-O-10420, 06-O-10575,
and 07-H-10085

(for Court's use)

FILED

FEB 22 2010

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

LODGED

DEC 18 2007

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

Bar # 213039

In Pro Per Respondent

Paul J. Virgo
P.O. Box 67682
Los Angeles, CA 90067-0682
Tel: (310)642-6900

Submitted to: Program Judge

Bar # 67900

In the Matter Of:
DENNIS JOHN SANCHEZ

STIPULATION RE FACTS AND CONCLUSIONS OF LAW

Bar # 128900

A Member of the State Bar of California
(Respondent)

PREVIOUS STIPULATION REJECTED

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **June 17, 1987**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition (to be attached separately) are rejected or changed by the Supreme Court. However, if Respondent is not accepted into the Lawyer Assistance Program, this stipulation will be rejected and will not be binding on the Respondent or the State Bar.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated, except for Probation Revocation proceedings. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **21** pages, excluding the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".

(Do not write above this line.)

- (6) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (7) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7 and will pay timely any disciplinary costs imposed in this proceeding.

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline** [see standard 1.2(f)]
 - (a) State Bar Court case # of prior case **04-O-12571**
 - (b) Date prior discipline effective **October 11, 2005**
 - (c) Rules of Professional Conduct/ State Bar Act violations: **rule 3-110(A) of the California Rules of Professional Conduct**
 - (d) Degree of prior discipline **Public reproof with duties**
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below:
- (2) **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

None.

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) **Good Faith:** Respondent acted in good faith.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

None.

ATTACHMENT TO
STIPULATION RE FACTS AND CONCLUSIONS OF LAW

IN THE MATTER OF: DENNIS JOHN SANCHEZ

CASE NUMBERS: 04-O-10846, 04-O-13941, 04-O-15194, 05-O-02095,
06-O-10420, 06-O-10575, and 07-H-10085

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violating the specified statutes and the California Rules of Professional Conduct, which constitute cause for discipline in these matters.

I. Facts.

1. Respondent Dennis John Sanchez (Respondent) was admitted to the practice of law in the State of California on June 17, 1987, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.
2. At all relevant times, Respondent maintained a client trust account at Wells Fargo Bank (WFB), account number 029-0455443 (CTA).
3. At all relevant times, Respondent maintained a general account for his law office entitled "The Law Offices of Dennis J. Sanchez" (Respondent's law office), at Pan American Bank account number 122226063 (General Account).
4. At all relevant times, Respondent's law office, located at 3807 Wilshire Boulevard, Suite 880, in Los Angeles, California, 90010, provided immigration services to several Korean churches throughout the country and represented individual church members in applying for religious worker visas.
5. Respondent and his office manager, Paul Lee (Lee), handled the daily operations of his law office, including the maintenance of Respondent's CTA. Upon receipt of funds from a client, Respondent or Lee would deposit the funds into either the General Account or the CTA, regardless of whether the funds were for advanced legal fees or advanced costs.
6. Neither Respondent nor Lee maintained a consistent practice regarding which account they deposited the client funds into.

7. Neither Respondent nor Lee maintained written ledgers or journals regarding the receipt or disbursement of client funds.

8. From November 2003, through November 2004, Respondent repeatedly issued CTA checks against insufficient funds (NSF). At all relevant times, Respondent issued those CTA checks when he knew that there were insufficient funds in the CTA to pay those checks.

9. Each time Respondent's CTA balance fell below zero, WFB notified Respondent of insufficient funds in his CTA.

10. Upon such notification from WFB, Respondent deposited cash or a check from his General Account in order to cover any balances owed.

State Bar Court Case Number 04-O-10846

11. Prior to November 2003, Respondent received at least \$2,500 in advanced legal fees from his client Han Na Son (Son). At that time, Respondent deposited those funds into his General Account.

12. On November 15, 2003, Respondent agreed to refund attorney fees to Son and issued CTA check number 3463, which was made payable to Son in the amount of \$2,500. Respondent did not transfer or otherwise deposit \$2,500 from his General Account into his CTA to cover this payment to Son.

13. On November 18, 2003, Respondent withdrew \$700 in cash from his CTA. At that time, Respondent knew that cash withdrawal had left his CTA balance at \$2,084.90 and that Son had not yet cashed CTA check number 3463.

14. On November 19, 2003, Son negotiated CTA check number 3463 and WFB paid that check to Son against insufficient funds, resulting in a CTA balance of negative \$415.10 (i.e., -\$415.10).

15. On November 20, 2003, WFB notified Respondent and the State Bar of the overdraft payment of CTA check number 3463. From at least November 20, 2003, Respondent knew that he was failing to adequately maintain and monitor his CTA. At no time thereafter did Respondent take steps to improve the maintenance or supervision of his CTA.

16. Respondent issued CTA check number 3463 when he knew that there were insufficient funds in the CTA to pay it.

//

17. Respondent dishonestly misappropriated client funds not belonging to Son, in order to pay CTA check number 3463.
18. Prior to November 30, 2003, Respondent received at least \$5,000 in advanced legal fees from his client Young Sook Ma (Ma). At that time, Respondent deposited those funds into his General Account.
19. On November 30, 2003, Respondent agreed to refund attorney fees to Ma and issued CTA check number 3488, which was made payable to Ma in the amount of \$5,000. Respondent did not transfer or otherwise deposit \$5,000 from his General Account into the CTA to cover this payment to Ma.
20. On or about December 2, 2003, the balance in Respondent's CTA dropped to \$4729.57.
21. On December 4, 2003, Respondent deposited \$1,600 into his CTA, \$500 of which belonged to Respondent's client Hyung Gun Woo (Woo). At the same time, Respondent also deposited a \$1,100 check issued from Respondent's General Account, General Account check number 1804. As a result of these deposits, the CTA balance rose above \$5,000. On that same day, WFB paid CTA check number 3488 to Ma.
22. On December 9, 2003, WFB returned General Account check number 1804 due to insufficient funds in Respondent's General Account.
23. Consequently, in order to pay the \$5,000 to Ma on December 4, 2003, Respondent used monies belonging to Woo and other clients.
24. At the time Respondent issued CTA check number 3488 to Ma, he knew that he did not have sufficient funds to cover payment of that check.
25. Respondent dishonestly misappropriated other clients' funds in order to pay Ma.
26. On December 3, 2003, Respondent issued the following CTA checks, which were made payable to the United States Immigration and Naturalization Service (US Immigration), on behalf of his clients, Woo, Sook Hee Woo, and Da He Woo:

<u>Check Number:</u>	<u>Amount:</u>	<u>Client:</u>
3505	\$120	Woo
3506	\$120	Sook Hee Woo
3507	\$120	Da He Woo

27. At the time Respondent issued check numbers 3505, 3506 and 3507, Respondent did not possess any client funds in his CTA belonging to Woo, Sook Hee Woo, or Da He Woo (the Woos).

28. At the time Respondent issued CTA check numbers 3505, 3506, and 3507, the balance in his CTA was \$4,729.57. At that time, Respondent's \$5,000 check issued to Ma had not been paid.

29. On December 8, 2003, the balance in Respondent's CTA dropped to \$1,053.35.

30. On December 9, 2004, the balance in Respondent's CTA dropped below zero. On that same day, CTA check numbers 3505, 3506, 3507 were presented for payment and WFB paid those checks against insufficient funds, leaving a balance of negative \$411.65 (i.e., - \$411.65).

31. Other than issuing check numbers 3505, 3506, 3507, Respondent had not made any payments or distributions on behalf of or for the benefit of the Woos.

32. On December 10, 2003, WFB notified Respondent and the State Bar of the overdraft payments of CTA check numbers 3505, 3506, 3507.

33. Respondent dishonestly misappropriated at least \$500 of Woo's funds.

State Bar Court Case Number 04-O-13941

34. Between May 18, 2004, through May 20, 2004, Respondent issued the following CTA checks, totaling \$785:

<u>Check No.:</u>	<u>Issued:</u>	<u>Amount:</u>	<u>Payable To:</u>	<u>Client:</u>
3632	5/18/04	\$185	U.S. Immigration	Ok Re Lee
3633	5/18/04	\$195	U.S. Immigration	Ji Eun Lee
3634	5/18/04	\$185	U.S. Immigration	Jong Og Jo
3637	5/20/04	\$110	U.S. Immigration	Ja-Chil Goo
3638	5/20/04	\$110	U.S. Immigration	Su Ja Goo

35. On May 21, 2004, Respondent withdrew \$800 in cash from the CTA, leaving a balance of \$527.34. At that time, CTA check numbers 3632, 3633, 3634, 3637, and 3638 had not been presented for payment.

36. At the time Respondent withdrew \$800 in cash from his CTA, he knew that some of that money belonged to Ok Re Lee, Ji Eun Lee, Jong Og Jo, Ja Chil Goo, and/or Su Ja Goo. Respondent also knew that the \$800 cash withdrawal would leave insufficient funds to cover the CTA checks he had issued between May 18, 2004, and May 20, 2004.

37. On May 24, 2004, WFB paid CTA check numbers 3632, 3633, and 3634 against insufficient funds and notified Respondent about the insufficient funds.

38. On May 25, 2004, Respondent deposited \$700 in cash into his CTA. On that same day, WFB paid CTA check numbers 3637 and 3638.

39. Respondent issued CTA check numbers 3632, 3633, 3634, 3637, and 3638 when he knew that there were insufficient funds in the CTA to pay those checks.

State Bar Court Case Number 04-O-15194

40. On September 9, 2004, Respondent received \$2,000 in advanced costs from his client Jong Myung Eun (Eun). At that time, Respondent deposited the \$2,000 into his CTA.

41. From September 9, 2004, through September 21, 2004, Respondent did not make any payments or distributions on behalf of or for the benefit of Eun. During that time period, the balance in Respondent's CTA fell below \$2,000, as follows:

<u>Date:</u>	<u>Balance:</u>
9/10/04	\$1,102.29
9/13/04	\$902.29
9/17/04	\$102.29
9/20/04	-\$524.06

42. From September 9, 2004, through September 21, 2004, Respondent made the following cash withdrawals from his CTA:

<u>Date:</u>	<u>Amount:</u>
9/10/04	\$1,200
9/13/04	\$200
9/17/04	\$2,500

43. On September 21, 2004, WFB notified Respondent about insufficient funds in his CTA. Subsequently, on that same day, Respondent deposited \$2,500 in cash into his CTA and issued CTA check number 3726, which was made payable to U.S. Immigration on behalf of Eun, in the amount of \$1,185.

44. At the time Respondent made cash withdrawals between September 9, 2004, and September 20, 2004, he knew that he was withdrawing funds belonging to Eun.

45. Respondent intentionally misappropriated \$2,000 in client funds belonging to Eun.

46. Between September 10, 2004, and September 15, 2004, Respondent issued the following CTA checks:

<u>Check:</u>	<u>Date:</u>	<u>Amount Paid:</u>	<u>Payable To:</u>	<u>Client:</u>
3719	9/10/04	\$101.35	Allen Corp. Supply	
3721	9/14/04	\$175	U.S. Immigration	Sun Tae Kim
3722	9/14/04	\$175	U.S. Immigration	Hyun Ja Kim
3723	9/14/04	\$175	U.S. Immigration	Tae Sung Kim
3724	9/15/04	\$110	U.S. Immigration	Sil Chung

47. At the time Respondent issued CTA check numbers 3721, 3722, and 3723, he did not possess funds in his CTA belonging to clients Sun Tae Kim, Hyun Ja Kim, or Tae Sung Kim (the Kims).

48. On September 15, 2004, Respondent deposited into his CTA \$1,000 in advanced costs belonging to the Kims. Aside from issuing check numbers 3721, 3722 and 3723, Respondent had not made any other payments or disbursements on behalf of or for the benefit of the Kims.

49. By September 17, 2004, the balance in Respondent's CTA was \$102.29. At that time, CTA check numbers 3719, 3721, 3722, 3723 and 3724 had not been paid.

50. On September 20, 2004, when the CTA balance was still \$102.29, WFB paid CTA check numbers 3719, 3721, 3722 and 3723 against insufficient funds. At that time, Respondent was required to maintain in his CTA at least \$1,000 in funds on behalf of the Kims.

51. Respondent issued CTA check numbers 3719, 3721, 3722, 3723, and 3724 when he knew that there would be insufficient funds to pay those checks.

52. On October 5, 2004, Respondent issued CTA check number 3735, which was made payable to U.S. Immigration in the amount of \$70, on behalf of Respondent's client Sang Don Yoon. That same day, Respondent also issued CTA check number 3737, which was made payable to U.S. Immigration in the amount of \$70, on behalf of Respondent's client Kyoung Sook Yoon.

53. On October 20, 2004, the balance in Respondent's CTA was \$2,464.94. At that time, CTA check numbers 3735 and 3737 had not been paid. At that time, Respondent also issued the following CTA checks, which totaled \$3,850:

<u>Check No:</u>	<u>Amount Paid:</u>	<u>Payable To:</u>	<u>Client:</u>
3743	\$315	U.S. Immigration	Sang Don Yoon
3744	\$175	U.S. Immigration	Sang Don Yoon
3745	\$315	U.S. Immigration	Kyoung Sook Yoon

3746	\$175	U.S. Immigration	Kyoung Sook Yoon
3747	\$215	U.S. Immigration	Ha Kyoung Yoon
3748	\$175	U.S. Immigration	Ha Kyoung Yoon
3749	\$480	Hanmi Prof. Services	
3750	\$2,000	Respondent's law office	

54. At the time Respondent issued CTA check numbers 3743, 3744, 3745, 3746, 3747, 3748, 3749, and 3750, he knew that he did not have sufficient funds to cover payment of those checks.

55. On October 22, 2004, Respondent withdrew \$1,500 in cash from his CTA and issued a check payable to Respondent's law office in the amount of \$120. Thereafter, on that same day, the CTA balance fell to \$844.94.

56. As of October 22, 2004, Respondent was required to maintain at least \$3,850 in his CTA to pay CTA check numbers 3743, 3744, 3745, 3746, 3747, 3748, 3749, and 3750.

57. On October 25, 2004, WFB paid CTA check number 3749 to Hanmi Professional Services in the amount of \$480. The ending CTA balance on that day was \$1,000.94.

58. On October 26, 2004, CTA check numbers 3743, 3744, 3745, and 3747 were presented for payment. On that day, WFB paid check numbers 3744 and 3735 against insufficient funds, leaving a CTA balance of negative \$89.06 (i.e., -\$89.06).

59. On October 27, 2004, Respondent deposited \$300 in cash into his CTA. On October 29, 2004, Respondent deposited \$900 in cash into his CTA.

60. On November 1, 2004, the beginning balance in Respondent's CTA was \$229.94. On that day, WFB paid CTA check numbers 3737, 3746, and 3748 against insufficient funds, leaving a balance of negative \$200.06 (i.e., -\$200.06).

61. Respondent issued checks numbers 3743, 3744, 3745, 3746, 3747, 3748, 3749, and 3750 when he knew there were insufficient funds to pay those checks.

State Bar Court Case Number 05-O-02095

62. From November 2003 through November 2004, Respondent repeatedly issued CTA checks against insufficient funds. Each time this occurred, WFB notified Respondent of the NSF activity.

63. At no time did Respondent take steps to improve the maintenance or supervision of his CTA.

64. At all relevant times, Respondent delegated the daily operations of this law office, including the maintenance and accounting of the CTA, to his office manager, Paul Lee (Lee). Upon receipt of funds from a client, Respondent or Lee would deposit the funds into either the General Account or the CTA, without regard as to whether the funds were for advanced legal fees or advanced costs.

65. Respondent did not follow, nor did he instruct Lee to follow, a consistent practice regarding the handling of client funds. Respondent did not maintain, nor did he instruct Lee to maintain, written ledgers or journals regarding the receipt and disbursement of client funds. Respondent's disregard of his client trust accounting obligations caused him to rely almost entirely on Lee to transfer funds, when indicated from account activity, from the General Account to the CTA to cover check payments made from the CTA, as needed.

66. In February 2005, Respondent issued CTA checks against insufficient funds (NSF). At all relevant times, Respondent issued those CTA checks when he knew or was grossly negligent in not knowing that there were insufficient funds in the CTA to pay them.

67. Prior to February 15, 2005, Respondent agreed to represent related clients Kyoung Lee Hwang, Soon Kyu Hwang, Ha Eun Hwang, and Jae Sang Hwang in immigration matters. Respondent accepted payment of advanced costs totaling \$140, for fingerprint costs of \$70 for Kyoung Lee Hwang and fingerprint costs of \$70 for Soon Kyu Hwang. Respondent deposited said advanced costs into his CTA by February 15, 2005.

68. On February 15, 2005, Respondent issued the following CTA checks payable to the United States Citizenship and Immigration Services (U.S. Immigration) totaling \$2,090, as follows:

<u>Check Number:</u>	<u>Amount:</u>	<u>Client:</u>
3810	\$ 190.00	Hwang, Kyoung Lee
3811	\$ 490.00	Hwang, Kyoung Lee
3812	\$ 70.00	Hwang, Kyoung Lee
3814	\$ 70.00	Hwang, Soon Kyu
3813	\$ 490.00	Hwang, Soon Kyu
3815	\$ 390.00	Hwang, Ha Eun
3816	\$ 390.00	Hwang, Jae Sang

69. Respondent issued check number 3812 to pay fingerprint costs for Kyoung Lee Hwang. Respondent issued check number 3814 to pay fingerprint costs for Soon Kyu Hwang.

//

70. On February 16, 2005, Respondent withdrew \$1,150 from his CTA, leaving a CTA balance of \$3,077.59.

71. On February 17, 2005, Respondent withdrew another \$1,100 from his CTA, leaving a CTA balance of \$1,977.59. At that time, Respondent knew that the U.S. Immigration had not yet cashed his CTA check numbers 3810, 3811, 3812, 3813, 3814, 3815, and 3816.

72. On February 17, 2005, U.S. Immigration negotiated CTA check numbers 3810, 3811, 3812, 3813, 3814, 3815, and 3816. As a result, Respondent's CTA balance became negative. Specifically, WFB paid check numbers 3812 and 3814 against insufficient funds, leaving a balance of negative \$112.41 (i.e., - \$112.41).

73. At the time he withdrew \$1,100 from his CTA on February 17, 2005, Respondent knew that he was leaving insufficient client funds to cover payments to the U.S. Immigration for check numbers 3810, 3811, 3812, 3813, 3814, 3815, and 3816.

74. Although Respondent has been on notice of the deficiencies relating to his client trust accounting, based on repeated notices from WFB and the State Bar, Respondent did not take any steps to improve the maintenance or supervision of his CTA.

75. Respondent continued to delegate his nondelegable fiduciary duties and allowed Lee to manage the CTA, despite numerous NSF problems.

State Bar Court Case Number 06-O-10420

76. Louie Galvez (Galvez) employed Respondent on September 21, 2004, to represent him in a divorce proceeding. At that time, Galvez paid Respondent \$4,000 in advanced legal fees.

77. On September 20, 2005, Galvez terminated Respondent and employed new counsel, John Spurgeon (Spurgeon).

78. In October 2005, Galvez telephoned Respondent several times and left messages for Respondent to provide an accounting and refund of unearned fees.

79. On November 23, 2005, Galvez wrote to Respondent and requested an accounting and refund of unearned legal fees. Galvez sent that November 23, 2005 letter to Respondent at Respondent's law office. Respondent received Galvez's letter.

80. At no time did Respondent respond to Galvez's telephone calls or letter.

//

81. At no time did Respondent provide an accounting to Galvez regarding earned or unearned legal fees.

State Bar Court Case Number 06-O-10575

82. On September 9, 2005, Sergio Leyva (Leyva) employed Respondent to handle divorce proceedings. At that time, Leyva paid Respondent \$5,000 in advanced legal fees.

83. On September 13, 14, 21, and 22, 2005, Leyva telephoned Respondent to inquire about his case, but Respondent was unavailable.

84. On October 4, 2005, Leyva went to Respondent's law office and terminated Respondent's services. At that time, Leyva requested an accounting and refund of unearned legal fees.

85. On October 13, 2005, Leyva spoke to Respondent via telephone and again requested a refund of unearned legal fees.

86. On October 14, 2005, Leyva telephoned Respondent's office twice, but Respondent was unavailable.

87. On November 8, 2005, Leyva went to the Community Justice Center in Huntington Park, California, to request assistance in communicating with Respondent.

88. On November 18, 2005, Community Justice Center Executive Director, Miguel A. Caamal (Caamal), wrote a letter to Respondent on behalf of Leyva. Caamal's letter requested that Respondent provide Leyva with an accounting and refund of fees. Caamal sent the letter to Respondent's law office via certified mail and first-class mail.

89. On November 28, 2005, Respondent's office assistant, Sam Medina, signed for receipt of Caamal's certified letter. Respondent received Caamal's November 18, 2005 letter.

90. Thereafter, Respondent did not respond to Caamal's letter and did not provide an accounting or refund to Leyva.

91. On December 11, 2005, Leyva filed a complaint with the State Bar of California.

92. In July 2006, Respondent refunded \$2,000 to Leyva.

93. In August 2006, Respondent refunded an additional \$3,000 to Leyva.

94. At no time did Respondent provide an accounting to Leyva.
95. At no time did Respondent perform any legal services of value to Leyva.

State Bar Court Case Number 07-H-10085

96. By Order filed on September 20, 2005, which order approved stipulated facts and disposition in Case no. 04-O-12571 et al., the State Bar court imposed a public reproof upon Respondent. Respondent received notice of this Order and imposition of discipline.
97. The Order imposing public reproof on Respondent became effective on October 11, 2005.
98. Pursuant to the Order, Respondent was required to comply with certain terms and conditions including, but not limited to, the following:
- (a) Respondent must comply with the conditions attached to the reproof for a period of one year;
 - (b) During the condition period attached to the reproof, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct;
 - (c) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the condition period attached to the reproof. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of the reproof during the preceding calendar quarter. Respondent must also state in each report whether there are any proceedings pending against him in the State Bar Court and, if so, the case number and current status of that proceeding. If the first report would cover less than thirty (30) days, that report must be submitted on the next following quarter date and cover the extended period. In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the condition period and no later than the last day of the condition period;
 - (d) Within one year of the effective date of the reproof, Respondent must provide to the Office of Probation satisfactory proof of attendance of the Multi-State Professional Responsibility Examination ("MPRE") and passage of the test given at the end of that session;

99. Respondent did not timely submit his written quarterly reports as follows:
- (a) Respondent filed his January 10, 2006, quarterly report on January 17, 2006;
 - (b) Respondent filed his July 10, 2006, quarterly report on November 17, 2006;
 - (c) Respondent filed his October 10, 2006, quarterly report on November 17, 2006;
 - (d) Respondent filed his final report due on October 11, 2006, on November 17, 2006.
100. To date, Respondent has not taken and passed the MPRE.

II. Conclusions of Law.

State Bar Court Case Number 04-O-10846

Count One

By issuing a check number 3463 to Son without first depositing proper funds to cover that payment, Respondent engaged in improper use of an account maintained for client trust account purposes, in willful violation of rule 4-100(A) of the California Rules of Professional Conduct.

Count Two

By issuing CTA check number 3463 when he knew there were insufficient funds to pay that check, and by misappropriating other clients' funds to pay Son, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of California Business and Professions Code section 6106.

Count Three

By issuing CTA check number 3488 to Ma without first depositing proper funds to cover that payment, Respondent engaged in improper use of an account maintained for client trust account purposes, in willful violation of rule 4-100(A) of the California Rules of Professional Conduct.

//

Count Four

By issuing check number 3488 when he knew that there were insufficient funds to pay that check, and by misappropriating other clients' funds to pay Ma, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of California Business and Professions Code section 6106.

Count Five

By not maintaining at least \$500 in funds belonging to the Woos in Respondent's CTA, Respondent failed to maintain client funds in a trust account and engaged in improper use of an account maintained for client trust account purposes, in willful violation of rule 4-100(A) of the California Rules of Professional Conduct.

Count Six

By knowingly issuing CTA checks numbers 3505, ³⁴⁸⁸2506, and 3507 without any client funds belonging to the Woos in the CTA, by knowingly issuing CTA checks on behalf of the Woos against insufficient funds, and by misappropriating at least \$500 of the Woos' funds, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of California Business and Professions Code section 6106.

State Bar Court Case Number 04-O-13941

Count Seven

By withdrawing \$800 in cash and knowingly leaving insufficient funds to pay his CTA check numbers 3632, 3633, 3634, 3637, and 3638, Respondent engaged in the improper use of an account maintained for client trust account purposes, in willful violation of rule 4-100(A) of the California Rules of Professional Conduct.

Count Eight

By withdrawing \$800 in cash, issuing CTA checks when he knew or was grossly negligent in not knowing there were insufficient funds to pay those checks, and by knowingly leaving insufficient funds in his CTA to cover outstanding checks, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of California Business and Professions Code section 6106.

//

Count Nine

By permitting his CTA balance to fall to a negative amount (i.e., -\$524.06) on September 20, 2004, at a time when he should have held at least \$2,000 on behalf of Eun, Respondent failed to maintain client funds in a trust account, in willful violation of rule 4-100(A) of the California Rules of Professional Conduct.

Count Ten

By misappropriating at least \$2,000 in client funds belonging to Eun, Respondent wilfully committed an act involving moral turpitude, in willful violation of California Business and Professions Code section 6106.

Count Eleven

By permitting his CTA balance to fall to \$102.29 at a time when Respondent should have held at least \$1,000 in trust on behalf of the Kims, Respondent failed to maintain client funds in a trust account, in willful violation of rule 4-100(A) of the California Rules of Professional Conduct.

Count Twelve

By knowingly issuing CTA check numbers 3721, 3722, and 3723 without client funds from the Kims on deposit in the CTA, and by thereafter misappropriating at least \$1,000 of later-deposited client funds belonging to the Kims, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of California Business and Professions Code section 6106.

Count Thirteen

By issuing CTA checks against insufficient funds and by withdrawing cash from his CTA, thereby leaving insufficient funds to pay for CTA checks, Respondent engaged in the improper use of an account maintained for client trust account purposes, in willful violation of rule 4-100(A) of the California Rules of Professional Conduct.

//

Count Fourteen

By knowingly issuing CTA checks when he knew or was grossly negligent in not knowing there were insufficient funds to pay those checks, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of California Business and Professions Code section 6106.

State Bar Court Case Number 05-O-02095

Count One

By failing to maintain costs of \$140 for clients Kyoung Lee Hwang and Soon Kyu Hwang in his CTA, Respondent failed to maintain client funds in a bank account labeled "Trust Account," "Client's Funds Account" or words of similar import, in willful violation of rule 4-100(A) of the California Rules of Professional Conduct.

Count Two

By knowingly withdrawing client funds from his CTA and leaving insufficient funds to cover the Hwangs' immigration costs, Respondent committed acts of involving moral turpitude, dishonesty or corruption, in willful violation of California Business and Professions Code section 6106.

Count Three

By not maintaining written ledgers or journals regarding the receipt and disbursement of client funds, Respondent failed to maintain and to preserve for five years from final appropriate disposition, complete records of all client funds coming into Respondent's possession, in willful violation of rule 4-100(B)(3) of the California Rules of Professional Conduct.

Count Four

By not overseeing Lee regarding the maintenance of Respondent's CTA, by not personally monitoring the CTA or otherwise supervising Lee, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in willful violation of rule 3-110(A) of the California Rules of Professional Conduct.

Count Five

By delegating nondelegable CTA responsibilities to Lee and engaging in the repeated misuse of his CTA, Respondent dishonestly or with gross negligence committed acts involving

moral turpitude, dishonesty or corruption, in willful violation of California Business and Professions Code section 6106.

State Bar Court Case Number 06-O-10420

Count Six

By not providing Galvez with an accounting of legal fees, Respondent failed to render appropriate accounts to a client regarding all funds of the client coming into Respondent's possession, in willful violation of rule 4-100(B)(3) of the California Rules of Professional Conduct.

State Bar Court Case Number 06-O-10575

Count Seven

By not providing Leyva with an accounting of legal fees, Respondent failed to render appropriate accounts to a client regarding all funds of the client coming into Respondent's possession, in willful violation of rule 4-100(B)(3) of the California Rules of Professional Conduct.

Count Eight

By taking approximately eight months to refund any portion of the fees paid in advance by Leyva, despite performing no legal services of any value to Leyva, Respondent failed to refund promptly any part of a fee paid in advance that had not been earned, in willful violation of rule 3-700(D)(2) of the California Rules of Professional Conduct.

State Bar Court Case Number 07-H-10085

Count One

By not timely submitting his quarterly and final reports to the Office of Probation and by not taking and passing the MPRE within one year of the effective date of discipline, Respondent failed to comply with all conditions attached to his public reprobation administered by the State Bar pursuant to Business and Professions Code sections 6077 and 6078 and rule 956 of the California Rules of Court, in willful violation of rule 1-110 of the California Rules of Professional Conduct.

//

PENDING PROCEEDINGS.

The disclosure date referred to, on page ~~one~~^{TWO}, paragraph A(6), was May 2, 2007. SK

WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CULPABILITY

The parties hereby waive any variance between the Notices of Disciplinary Charges filed on May 8, 2006 (case no. 04-O-10846), and March 21, 2007 (case no. 05-O-02095 and 07-H-10085, respectively), and the facts and conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of any amended Notice of Disciplinary Charges relating to cases which are the subject matters of this stipulation.

(Do not write above this line.)

In the Matter of DENNIS JOHN SANCHEZ	Case number(s): 04-O-10846, 04-O-13941, 04-O-15194, 05-O-02095, 06-O-10420, 06-O-10575, and 07-H-10085
--	--


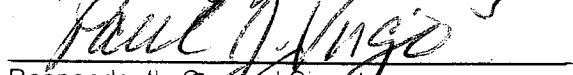
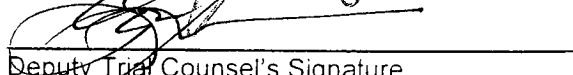
SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts and Conclusions of Law.

Respondent enters into this stipulation as a condition of his/her participation in the Program. Respondent understands that he/she must abide by all terms and conditions of Respondent's Program Contract.

If the Respondent is not accepted into the Program or does not sign the Program contract, this Stipulation will be rejected and will not be binding on Respondent or the State Bar.

If the Respondent is accepted into the Program, upon Respondent's successful completion of or termination from the Program, this Stipulation will be filed and the specified level of discipline for successful completion of or termination from the Program as set forth in the State Bar Court's Statement Re: Discipline shall be imposed or recommended to the Supreme Court.

<u>8-1-07</u>		Dennis John Sanchez
Date	Respondent's Signature	Print Name
<u>7/31/2007</u>		Paul J. Virgo
Date	Respondent's Counsel Signature	Print Name
<u>Aug. 3, 2007</u>		Eric H. Hsu
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter Of DENNIS JOHN SANCHEZ	Case Number(s): 04-O-10846, 04-O-13941, 04-O-15194, 05-O-02095, 06-O-10420, 06-O-10575, and 07-H-10085
--	--

ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulation as to facts and conclusions of law is APPROVED.
- The stipulation as to facts and conclusions of law is APPROVED AS MODIFIED as set forth below.
- All court dates in the Hearing Department are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation; or 3) Respondent is not accepted for participation in the Program or does not sign the Program Contract. (See rule 135(b) and 802(b), Rules of Procedure.)

DECEMBER 15, 2002
Date


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 Los Angeles, on December 21, 2007, I deposited a true copy of the following document(s):

Confidential Statement of Alternative Dispositions and Orders; Contract and Waiver for Participation in the State Bar Court's Alternative Discipline Program; Stipulation re Facts and Conclusions of Law

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

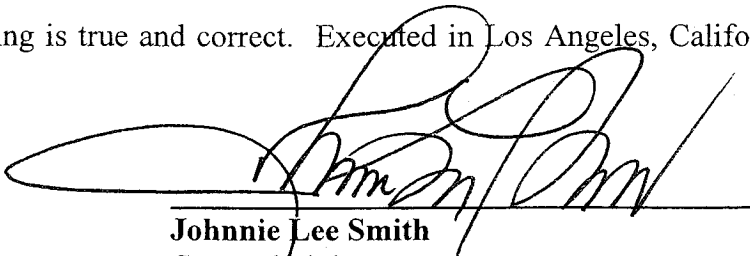
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**PAUL JEAN VIRGO
PO BOX 67682
LOS ANGELES, CA 90067 - 0682**

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

DAVID SAUBER , Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **December 21, 2007.**


Johnnie Lee Smith
Case Administrator
State Bar Court