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STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – SAN FRANCISCO

In the Matter of)	Case Nos.: 04-O-11746-PEM (04-O-11981);
)	04-O-11194-PEM (04-O-11964);
)	05-O-04947-PEM; 05-O-05266-PEM
DAVID C. CULVER,)	(Consolidated.)
)	(S186889)
Member No. 98072,)	
)	ORDER EXTENDING TIME
)	TO PAY COSTS
<u>A Member of the State Bar.</u>)	

This matter is before the court on **DAVID C. CULVER'S** January 27, 2011 motion for extension of time to pay the disciplinary costs that were imposed on him under the Supreme Court's December 10, 2010 order in *In re David C. Culver on Discipline*, case number S186889 (State Bar Court case numbers 04-O-11746-PEM, etc.).¹ In that motion, Culver also requests leave of court to permit the late filing of his motion for extension of time to pay costs.

On February 22, 2011, the Office of the Chief Trial Counsel of the State Bar of California (hereafter State Bar) filed a response to Culver's motion. In its response, the State Bar states that it does not oppose an extension of time for Culver to pay costs over the next two membership years.

¹ Culver inartfully titled his motion as a motion for installment payments of disciplinary costs. Culver's motion for extension of time to pay costs is supported by Culver's financial declaration filed on January 27, 2011.

The court will grant Culver's unopposed request to late file his motion for extension of time to pay costs. Moreover, Culver has established grounds of hardship, special circumstances, and other good cause sufficient for the court to grant him a two-year extension of time to pay the \$6,342 that he owes in disciplinary costs.

ORDER

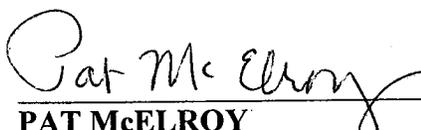
The court orders that David C. Culver's request to late file his January 27, 2011 motion for extension of time to pay costs is GRANTED. (Rules Proc. of State Bar, rule 5.29(B).)

The court further orders that David C. Culver's January 27, 2011 motion for extension of time to pay costs is GRANTED to the extent that the time in which David C. Culver must pay the \$6,342 in costs due under the Supreme Court's December 10, 2010 order in *In re David C. Culver on Discipline*, case number S186889 (State Bar Court case numbers 04-O-11746-PEM, etc.), is EXTENDED to and including February 1, 2013. (Bus. & Prof. Code, § 6086.10, subd. (c); Rules Proc. of State Bar, rule 5.130(B).)

The court further orders that David C. Culver must pay a minimum of at least \$240 in costs with his State Bar membership fees for each of the years 2012 and 2013. If David C. Culver fails to pay either of these two minimum installment payments as set forth above or as may be hereafter modified by the State Bar Court, the remaining balance is due and payable immediately. Any future motion to extend the time for David C. Culver to pay costs past February 1, 2013, should be filed in the State Bar Court no later than December 1, 2012.

Until paid in full, the costs remain enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Dated: March 9, 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 March 9, 2011, I deposited a true copy of the following document(s):

ORDER EXTENDING 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:

DAVID C. CULVER
PO BOX 277
DUNCANS MILLS, CA 95430

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:

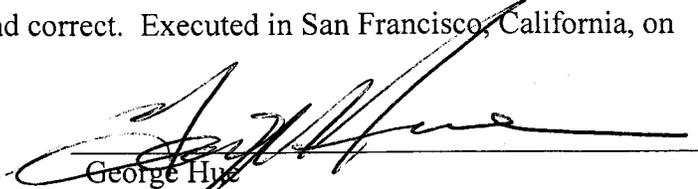
by fax transmission, at fax number . No error was reported by the fax machine that I used.

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:

Erica Dennings, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on March 9, 2011.


George Hye
Case Administrator
State Bar Court