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STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – SAN FRANCISCO

In the Matter of)	Case No.: 05-C-04451-PEM;
)	06-O-13422-PEM
)	(Consolidated.)
JOHN FRANKLIN MORKEN,)	(S168129)
Member No. 153979,)	
)	ORDER EXTENDING TIME
)	TO PAY COSTS
<u>A Member of the State Bar.</u>)	

On January 13, 2010, respondent filed a “Declaration of Attorney John F. Morken in Support of Motion for Waiver of Costs Due to Financial Hardship.” However, there is no such motion on file with the court. Nonetheless, in the interest of justice, the court construes Morken’s declaration itself to be a motion for relief from disciplinary costs.

The Office of the Chief Trial Counsel of the State Bar of California (State Bar) failed to file a response to Morken’s motion.

In his motion, Morken seeks to be relieved of his obligation to pay the \$6,844.89 in disciplinary costs that were assessed against him under the Supreme Court’s January 26, 2009 order in *In re John F. Morken on Discipline*, case number S168129 (State Bar Court case numbers 05-C-04451-PEM; 06-O-13422-PEM (consolidated)).

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Morken failed to establish sufficient financial hardship to grant him relief from all or part of the \$6,844.89 in costs. Nonetheless, Morken has established sufficient financial hardship to grant him an extension of time to pay the costs.


ORDER

The court orders that John Franklin Morken's January 13, 2010 motion for relief from disciplinary costs due to financial hardship GRANTED to the extent that, because of financial hardship, the time in which he must pay the \$6,844.89 in costs is extended for five years as follows. (Bus. & Prof. Code, § 6086.10, subd. (c); Rules Proc. of State Bar, rule 282.)

Until the entire \$6,844.89 is paid, John Franklin Morken must make an annual payment of at least \$1,368.97 no later than October 15 for each of the next five years. Morken's first annual payment is due no later than October 15, 2010. Morken is to make all payments directly to the State Bar's Membership Billing Services Office in San Francisco.

The court further orders that, if John Franklin Morken fails to make any payment within the time provided hereinabove or as may be modified by the State Bar Court (Bus. & Prof. Code, § 6086.10, subd. (c); Rules Proc. of State Bar, rule 282), the remaining unpaid balance of the costs is due and immediately enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Dated: March 15, 2010.



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 March 16, 2010, 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:

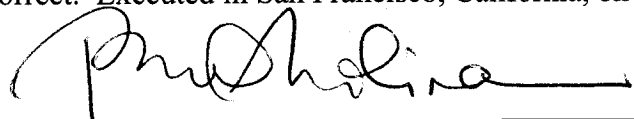
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

**JOHN F. MORKEN
760 MARKET ST STE 938
SAN FRANCISCO, CA 94102**

- 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:

TAMMY A. ALBERTSEN-MURRAY, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on March 16, 2010.



Bernadette C.O. Molina
Case Administrator
State Bar Court