



PUBLIC MATTER

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**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT - SAN FRANCISCO**

In the Matter of

CHARLES E. SMITH, JR,

Member No. 152034,

A Member of the State Bar.

Case Nos. 05-O-05173-PEM

**ORDER OF CLARIFICATION AND
SECOND MODIFICATION OF DECISION**

ORDER OF CLARIFICATION

The court wishes to clarify its decision filed on March 25, 2008, as modified by the court's order filed on March 28, 2008, by clarifying that numbered paragraphs 10 and 11 on page 13 are separate requirements and are not probation conditions.

SECOND ORDER AMENDING DECISION

The decision filed on March 25, 2008, as modified by the court's order filed on March 28, 2008, is hereby AMENDED as follows:

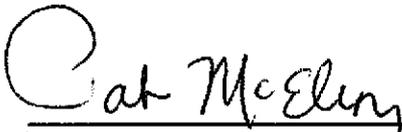
1. On page 13 of the decision, numbered paragraph 11, line 5, "within one year of the effective date of the discipline herein" is deleted, and in its place is inserted "within one year after the effective date of the discipline herein or during the period of his actual suspension, whichever is longer."

The amendment ordered is not a clerical correction. Accordingly, the time for filing a motion to reopen the record, for a new trial and/or for reconsideration of the court's March 25, 2008 decision, as modified by the court's order filed on March 28, 2008, under rules 222, 223 and/or 224, respectively, of the Rules of Procedure of the State Bar of California (Rules of Procedure) and the

time for filing a request for review of said decision under rule 301 of the Rules of Procedure will be calculated from the date this order is served on the parties.

IT IS SO ORDERED.

Dated: April 16, 2008



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 April 17, 2008, I deposited a true copy of the following document(s):

**ORDER OF CLARIFICATION AND SECOND MODIFICATION OF
DECISION**

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

- by certified mail, No. 7160 3901 9849 4568 4277, with return receipt requested, through the United States Postal Service at San Francisco, California, addressed as follows:

CHARLES E. SMITH, JR.
P O BOX 24074
OAKLAND, CA 94623 - 1074

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

Wonder Liang, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on **April 17, 2008**.



George Hue

Case Administrator
State Bar Court