

(Do not write above this line.)

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

Counsel For The State Bar  <b>Miho Murai</b> <b>Deputy Trial Counsel</b> <b>1149 S. Hill Street</b> <b>Los Angeles, CA 90015-2299</b> <b>213-765-1219</b>  Bar # <b>235178</b>	Case Number (s) <b>06-C-12254</b>	(for Court's use)  <div align="center"> <b>FILED</b>  <b>SEP 25 2008</b> <i>YJC</i>          STATE BAR COURT          CLERK'S OFFICE          LOS ANGELES       </div>
In Pro Per Respondent  <b>Donna Bullock-Carrera</b> <b>8291 Carburton Street</b> <b>Long Beach, CA 90808</b> <b>562-726-0778</b>	<div align="center"> <b>PUBLIC MATTER</b> </div>	
Bar # <b>109223</b>	Submitted to: <b>Settlement Judge</b>	
In the Matter Of: <b>DONNA BULLOCK-CARRERA</b>	STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING	
Bar # <b>109223</b>  A Member of the State Bar of California (Respondent)	<div align="center"> <b>PUBLIC REPROVAL</b> </div> <input type="checkbox"/> 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 **October 12, 1983**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (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. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **9** pages, not including 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".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."

- (7) 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.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- ☐ costs added to membership fee for calendar year following effective date of discipline (public reproof)
  - ☐ case ineligible for costs (private reproof)
  - ☒ costs to be paid in equal amounts for the following membership years: **Costs to be paid in equal amounts prior to February 1 for the following two (2) billing cycles following the effective date of discipline.**  
(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
  - ☐ costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
  - ☐ costs entirely waived
- (9) The parties understand that:
- (a) ☐ A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
  - (b) ☐ A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
  - (c) ☒ A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

**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 **97-O-16435**
  - (b) ☒ Date prior discipline effective **August 28, 2000**
  - (c) ☒ Rules of Professional Conduct/ State Bar Act violations: **Rule 3-110(A)**
  - (d) ☒ Degree of prior discipline **Private reproof**
  - (e) ☐ If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."
- (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:**

**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. **Respondent has been candid and cooperative with the State Bar throughout the disciplinary 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. **From March 2005 until January 2008, Respondent was involved in a contentious child custody battle. During the course of this custody battle, Respondent was ordered to sell any guns that she controls. She was trying to comply with the Court's Order at the time of her arrest. On January 16, 2008, Respondent was awarded sole legal and physical custody of her child.**
- (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:**

**D. Discipline:**

- (1) ☐ **Private reproof (check applicable conditions, if any, below)**
- (a) ☐ Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b) ☐ Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).
- or
- (2) ☒ **Public reproof (Check applicable conditions, if any, below)**

**E. Conditions Attached to Reproval:**

- (1) ☒ Respondent must comply with the conditions attached to the reproof for a period of **one (1) year**.
- (2) ☒ During the condition period attached to the reproof, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) ☒ 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 or her 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 30 (thirty) 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.

- (6) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the monitor.
- (7) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the conditions attached to the reprobation.
- (8) ☒ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason: .
- (9) ☒ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) ☒ Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year of the effective date of the reprobation.
- ☐ No MPRE recommended. Reason: .
- (11) ☐ The following conditions are attached hereto and incorporated:
- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input type="checkbox"/> Financial Conditions             |

**F. Other Conditions Negotiated by the Parties:**

**ATTACHMENT TO**

**STIPULATION RE FACTS, CONCLUSIONS OF LAW, AND DISPOSITION**

IN THE MATTER OF:        DONNA BULLOCK CARRERA

CASE NUMBER:            O6-C-12254

**PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING**

This is a proceeding pursuant to section 6101 of the Business and Professions Code and rule 9.10 of the California Rules of Court.

On January 19, 2007, Respondent Donna Bullock Carrera ("Respondent") was convicted by a jury of violating section 12025 of the Penal Code, having a concealed firearm in the vehicle, a misdemeanor. She was placed on informal probation for two (2) years with probationary conditions. The misdemeanor charge of driving on a suspended/revoked license was dismissed.

On February 9, 2007, a Notice of Appeal was received and filed. On February 21, 2007, a Notice of Filing and Notice of Appeal were filed.

On April 17, 2007, the Review Department of the State Bar Court ("Review Department") issued an order referring the matter to the Hearing Department on the issue of whether the facts and circumstances surrounding Respondent's offense involved moral turpitude or other misconduct warranting discipline. A Notice of Hearing on Conviction was filed by the State Bar Court on April 26, 2007. On July 12, 2007, Respondent filed a Response.

On August 22, 2007, the Court abated the disciplinary proceeding since Respondent had filed a timely appeal. On April 16, 2008, the Court terminated the abatement since the criminal conviction became final.

On June 6, 2008, the Review Department issued an order augmenting its previous order to include a hearing and decision recommending the discipline to be imposed in the event that the Hearing Department finds that the facts and circumstances surrounding the offense of which Respondent was convicted involved moral turpitude or other misconduct warranting discipline.

**FACTS AND CONCLUSIONS OF LAW**

Donna Bullock Carrera ("Respondent") admits that the following facts are true and that she is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

**FACTS**

1. Respondent was admitted to the practice of law in the State of California on October 12, 1983, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

2. From March 2005 until January 2008, Respondent was involved in a contentious child custody battle. During the course of this custody battle, Respondent was ordered to sell any guns that she controls.
3. On September 9, 2005, Respondent was stopped by a police officer for a traffic infraction. Upon searching her vehicle, the police officer found a black “fanny-pak” styled bag, which contained three small, palm sized hand guns and a larger-styled, semi-automatic, blue steel hand gun.
4. Respondent was in lawful possession of these guns. They were mostly antique guns which belonged to her deceased father, who had a renowned inventory of rare antique items, including guns. Respondent had placed the guns in the trunk of her car and intended to sell them to an antique dealer pursuant to the Court’s Order in the child custody matter. However, without her knowledge, the guns were removed from the trunk and placed in the rear passenger compartment by a passenger in her car, who had intended to steal the guns from her.
5. Consequently, Respondent was arrested for possession of concealed weapons.
6. On January 19, 2007, Respondent was convicted by a jury of violating section 12025 of the Penal Code, having a concealed firearm in the vehicle, a misdemeanor. She was placed on informal probation for two (2) years with probationary conditions.

## **CONCLUSIONS OF LAW**

Having found guilty by a jury of violating Penal Code section 12025, having a concealed firearm in the vehicle, Respondent has been convicted of misconduct warranting discipline. Respondent acknowledges that by the conduct described above, she failed to support the laws of California in willful violation of Business and Professions Code § 6068(a).

## **PENDING PROCEEDINGS**

The disclosure date referred to on page one, paragraph A(7), was September 17, 2008.

## **SUPPORTING AUTHORITY**

The State Bar submits that the following Standards for Attorney Sanctions for Professional Misconduct (“Standards”) are applicable:

Standard 1.3 provides that the primary purposes of disciplinary proceedings and imposing sanctions for professional misconduct are “the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession.”

Standard 3.4 provides that:

Final conviction of a member of a crime which does not involve moral turpitude inherently or in the facts and circumstances surrounding the crime’s commission but which does involve other

misconduct warranting discipline shall result in a sanction as prescribed under part B of these standards appropriate to the nature and extent of the misconduct found to have been committed by the member.

By definition, every criminal conviction involves a violation of Business and Professions Code section 6068(a). Pursuant to Standard 2.6, the culpability of a member of a violation of Business and Professions Code section 6068 (including section 6068(a)) “shall result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.”

Finally, Standard 1.7(a) states in pertinent part that, “If a member is found culpable of professional misconduct in any proceeding in which discipline may be imposed and the member has a record of one prior imposition of discipline . . . the degree of discipline imposed in the current proceeding *shall be greater than that imposed in the prior proceeding* unless the prior . . . was so remote in time to the current proceeding and the offense for which it was imposed was so minimal in severity” (emphasis added).

Given Respondent’s prior private reproof in 2000 and the particular facts and circumstances surrounding Respondent’s conviction in this disciplinary proceeding, the imposition of a public reproof is appropriate and would adequately protect the public, the courts, and the legal profession from further misconduct from this Respondent.

#### **COSTS OF DISCIPLINARY PROCEEDINGS**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that, as of September 17, 2008, the costs in this matter are \$3,530.00. Respondent further acknowledges that should this stipulation be rejected or should relief from this stipulation be granted, the costs in this matter may increase due to the costs of further proceedings.



In the Matter of <b>DONNA BULLOCK-CARRERA</b>	Case number(s): <b>06-C-12254</b>
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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 Fact, Conclusions of Law and Disposition.

Donna Bullock-Carrera  
Print Name

N/A

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Print Name

Miho Murai  
Print Name

(Do not write above this line.)

In the Matter Of  
**DONNA BULLOCK-CARRERA**

Case Number(s):  
**06-C-12254**

### ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:



The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.



The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.



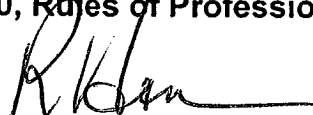
All court dates in the Hearing Department are vacated.

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. (See rule 125(b), Rules of Procedure.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

**Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.**

9/18/08

Date



Judge of the State Bar Court  
**RICHARD A. HONN**

## 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 September 25, 2008, I deposited a true copy of the following document(s):

### STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING PUBLIC REPROVAL

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:

DONNA BULLOCK CARRERA  
8291 E CARBURTON ST  
LONG BEACH, CA 90808

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

MIHO MURAI, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 25, 2008.



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Tammy Cleaver  
Case Administrator  
State Bar Court