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State Bar Court of California Hearing Department Los Angeles DISBARMENT		
Counsel For The State Bar Monique T. Miller, DTC State Bar of California Office of the Chief Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 Tel: (213) 765-1486 Bar # 212469	Case Number(s): 06-O-15222; 09-O-14338; 09-O-15704; 09-O-16507; 10-O-00943; 10-O-01901; 10-O-02631; 10-O-06570; 09-C-16977; 10-C-05877	For Court use only <div style="text-align: center;"> FILED APR 12 2011 <i>KA</i> STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Counsel For Respondent Ellen A. Pansky, Esq. Pansky Markle Ham LLP 1010 Sycamore Ave Unit 308 South Pasadena, CA 91030 Tel: (213) 626-7300 Bar # 77688	PUBLIC MATTER	
In the Matter of: MICHAEL H. INMAN Bar # 160042 A Member of the State Bar of California (Respondent)	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT DISBARMENT <input type="checkbox"/> PREVIOUS STIPULATION REJECTED <div style="text-align: center;"> kwiktag® 018 042 883  </div>	

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 November 23, 1992.
- (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 resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of (15) 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 to be awarded to the State Bar.
 - ☐ Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - ☐ Costs are entirely waived.
- (9) ORDER OF INACTIVE ENROLLMENT:
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 5.111(D)(1).

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**
- (a) ☒ State Bar Court case # of prior case 95-O-14124 (S077629)
 - (b) ☒ Date prior discipline effective July 3, 1999
 - (c) ☒ Rules of Professional Conduct/ State Bar Act violations: 7 counts of 6068(m) and 2 counts of 3-110(A)
 - (d) ☒ Degree of prior discipline One year stayed suspension and one year probation with conditions, including 30 days actual suspension and restitution of unearned fees.
 - (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. Respondent's regular use of his CTAs to conduct his personal affairs over a period approaching four (4) years, combined with his lack of attention to the requirements of maintaining a trust account and his issuance of eleven (11) NSF checks from his CTAs, establishes 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.
- (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.

- (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:

In late 2009, aware of his substance abuse problems, which are casually related to all the matters contained in this stipulation, Respondent voluntarily signed up for treatment with the Lawyer's Assistance Program.

In February 2011, Respondent voluntarily filed an application for transfer to inactive membership status, effective February 9, 2011.

Respondent cooperated with the State Bar by entering into this stipulation, thus obviating the need for a trial.

D. Discipline: Disbarment.

E. Additional Requirements:

- (1) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (2) ☐ **Restitution:** Respondent must make restitution to _____ in the amount of \$ _____ plus 10 percent interest per year from _____. If the Client Security Fund has reimbursed _____ for all or any portion of the principal amount, respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5. Respondent must pay the above restitution and furnish satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles no later than _____ days from the effective date of the Supreme Court order in this case.
- (3) ☐ **Other:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: MICHAEL H. INMAN, #160042

CASE NUMBER(S): 06-O-15222; 09-O-14338; 09-O-15704; 09-O-16507;
 10-O-00943; 10-O-01901; 10-O-02631; 10-O-06570;
 09-C-16977; 10-C-05877

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

The parties hereby waive any variance between the Notice of Disciplinary Charges ("NDC") filed on December 12, 2009, in Case No. 06-O-15222, and the facts and conclusions of law contained in this stipulation. The parties further waive the issuance of a Notice of Disciplinary Charges in Case Nos. 09-O-14338, 09-O-15704, 09-O-16507, 10-O-00943, 10-O-01901, 10-O-02631, 10-O-06570 that are the subject matter of this stipulation.

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 06-O-15222 (State Bar Investigation)

FACTS:

1. On April 24, 2006, Respondent opened a client trust account at Bank of America ("BOA"), account number xxxxxx0965¹ ("the CTA"), with \$8,058.96, which had been transferred from Respondent's former client trust account at BOA, account number xxxxxx2904² (the "former CTA"), because of alleged fraudulent activity in the former CTA.

2. Between April and November 2006, Respondent repeatedly and routinely deposited and maintained personal funds in the CTA, and withdrew the funds to pay numerous personal expenses.

3. Between June 27 and October 4, 2006, the following checks issued by Respondent from the CTA were presented for payment and not paid due to insufficient funds in the CTA:

<u>Presentment Date</u>	<u>Check No.</u>	<u>Amount</u>
06/27/06	1038	\$ 120.00
07/06/06	1044	\$ 1,145.00
07/20/06	1049	\$ 771.91

¹ The full account number is omitted for privacy purposes.

² The full account number is omitted for privacy purposes.

4. Respondent issued check numbers 1038, 1044, 1049 and 1087 when he knew or was grossly negligent in not knowing that there were insufficient funds in the CTA to honor the checks.

5. On September 18, 2006, the Office of Intake of the State Bar of California ("Intake") sent a letter to Respondent regarding the insufficient funds activity in the CTA caused by check numbers 1038, 1044 and 1049.

6. On October 24, 2006, Respondent sent a letter in response to Intake's September 18, 2006 letter. In Respondent's letter, he replied in part:

"On the days in question, I inadvertently wrote my rent check and car lease check on trust account checks rather than my personal account checks. I was either in a hurry, confused or possibly had left my personal account check register elsewhere on that particular day and then just used my trust account checks as a matter of expediency. I do not completely remember how it happened. I realize now that I am not supposed to do this. At the time, there were no "client" funds in my trust account, and that is why they bounced. The third check, I believe was for the cost of filing a civil action for a client."

7. On November 9, 2006, Intake sent a letter to Respondent regarding the insufficient funds activity in the CTA caused by check number 1087.

8. On November 15, 2006, Respondent sent a letter in response to Intake's November 9, 2006 letter in which he represented:

"Check number 1087 was written to pay a court filing fee on behalf of a divorce client. As with the other three checks that bounced, I inadvertently used a trust account check to pay a business expense that should have been written on a personal account check. . . .As with the other three checks, I believe I used the trust account check because I did not have my personal account checks with me at the time."

9. In a letter to a State Bar investigator dated February 20, 2007, Respondent took a slightly different position about the number of times he had issued checks from the CTA for his rent and car lease, as follows:

"As I explained in an earlier communication, on several occasions in 2006, I paid my apartment rent and car lease from checks issued from my client trust account. Without the benefit of my records, I don't know how many times that occurred. As I previously stated, the reason this happened was I had run out of personal checks and the client trust checks were convenient. Any and all funds used to pay personal expenses were from attorneys fees which remained in the account after the client's portions had been distributed."

10. Respondent's representations in his October 24, 2006 and November 15, 2006 responses that the checks for his rent and car lease were inadvertently issued from the CTA were false in that Respondent intentionally issued other checks from the CTA to Shawky Saad for his rent on May 5, June

5, July 14, September 5, and October 4, 2006, and to U.S. Bank for his car lease on May 15, June 15, August 16, September 13, and October 16, 2006.

11. Respondent's issuance of check number 1087 from the CTA was not inadvertent as he intentionally used a CTA check to pay a business expense.

12. Respondent's representation in his February 20, 2007 letter that he had issued checks for personal expenses from the CTA because he had run out of personal checks was false in that Respondent, as a matter of custom, wrote checks for personal expenses from the CTA throughout the existence of the CTA.

13. Respondent's representation in his February 20, 2007 letter that any and all funds used to pay personal expenses were from attorneys fees which remained in the account after the client's portions had been distributed was false in that Respondent paid personal expenses with cash deposits into the CTA on May 10, 11, 16, 23, and 26, 2006, July 25, 2006, August 8, 2006, September 29, 2006, and October 2, 5, 6 and 12, 2006; and with funds from an account at Bank of the West, identified as Inman and Associates PC, account number xxxxx1927,³ and deposited into the CTA on June 27, 2006, July 10, 2006 and October 4, 2006.

14. Respondent's misrepresentations were intentional and material in that he made the misrepresentations to conceal his repeated and ongoing trust account violations and to avoid discipline by the State Bar of California.

CONCLUSIONS OF LAW:

15. By repeatedly and routinely depositing and maintaining personal funds in the CTA, and by withdrawing the funds to pay numerous personal expenses, Respondent commingled funds belonging to Respondent in a bank account labeled "Trust Account," "Client's Funds Account" or words of similar import, in willful violation of Rules of Professional Conduct, rule 4-100(A).

16. By issuing check numbers 1038, 1044, 1049, and 1087 from the CTA when he knew or was grossly negligent in not knowing that there were insufficient funds in the CTA to pay the checks, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of Business and Professions Code section 6106.

17. By making intentional and material misrepresentations of fact to the State Bar of California, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of Business and Professions Code section 6106.

Case Nos. 09-O-14338, 09-O-15704 (State Bar Investigations),
and 09-O-16507 (Complainant: Shawky Saad)

FACTS:

18. Between November 2007 and September 2009, Respondent repeatedly and routinely deposited and maintained personal funds in the CTA, and withdrew the funds to pay numerous personal

³ The full account number is omitted for privacy purposes.

expenses, including but not limited to check number 1172 for \$560, dated February 13, 2008, and issued to Respondent's landlord, Shawky Saad, for Respondent's rent.

19. Between April and September 2009, the following checks issued by Respondent from the CTA were presented for payment and not paid due to insufficient funds in the CTA:

<u>Presentment Date</u>	<u>Check No.</u>	<u>Amount of Check</u>	<u>Balance at Presentment</u>
04/13/09	1197	\$100.00	\$.70
08/14/09	1213	\$164.03	\$ 12.20
09/18/09	1172	\$560.00	\$.12

20. Respondent issued check numbers 1172, 1197, and 1213 when he knew or was grossly negligent in not knowing that there were insufficient funds in the CTA to honor the checks.

CONCLUSIONS OF LAW:

21. By repeatedly and routinely depositing and maintaining personal funds in the CTA, and by withdrawing the funds to pay numerous personal expenses, Respondent commingled funds belonging to Respondent 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 Rules of Professional Conduct.

22. By issuing check numbers 1172, 1197, and 1213 from the CTA when he knew or was grossly negligent in not knowing that there were insufficient funds in the CTA to pay the checks, Respondent committed acts involving moral turpitude, in willful violation of section 6106 of the Business and Professions Code.

Case No. 09-O-16507 (Complainant: Shawky Saad)

FACTS:

23. On July 14, 2008, Respondent's landlord, Shawky Saad, obtained a small claims judgment against Respondent in the Los Angeles County Superior Court, Case No. 08S00925.

24. On October 7, 2008, Respondent was personally served with the court's order for Respondent to appear on November 26, 2008 for a debtor's examination regarding Saad's judgment.

25. On November 26, 2008, Respondent appeared for the debtor's examination and was ordered by the court to return for a further examination on January 26, 2009. Respondent received notice of the order.

26. On January 26, 2009, Respondent did not appear for the debtor's examination as ordered by the court. On January 26, 2009, the court issued a bench warrant against Respondent because of his failure to appear in court.

CONCLUSIONS OF LAW:

27. By not appearing for the debtor's examination on January 26, 2009, Respondent failed to maintain the respect due to the courts of justice and judicial officers, in willful violation of section 6068(b) of the Business and Professions Code.

Case Nos. 10-O-00943, 10-O-01901, 10-O-02631, 10-O-06570 (State Bar Investigations)

FACTS:

28. Between December 2009 and June 2010, Respondent also maintained a client trust account at Citibank, account number xxxxxx8177⁴ (the "Citibank CTA").

29. Between December 2009 and June 2010, Respondent repeatedly and routinely deposited and maintained personal funds in the Citibank CTA, and withdrew the funds to pay numerous personal expenses, including but not limited to check numbers 1048 for \$51.98, dated February 3, 2010, and 1002 for \$126.85, dated May 19, 2010, both issued to Rite-Aid.

30. Between December 7, 2009, and June 21, 2010, the following checks issued by Respondent from the Bank of America CTA and the Citibank CTA were presented for payment and not paid due to insufficient funds in the CTAs:

<u>Bank</u>	<u>Presentment Date</u>	<u>Check No.</u>	<u>Amount of Check</u>	<u>Balance at Presentment</u>
Bank of America	01/08/10	1235	\$ 40	\$ 13.94
Bank of America	12/07/09	1234	\$ 7	-\$ 3.06
Citibank	02/09/10	1050	\$ 56.37	-\$ 1.08
Citibank	06/21/10	1002	\$126.85	-\$110.95

CONCLUSIONS OF LAW:

31. By repeatedly and routinely depositing and maintaining personal funds in the Citibank CTA, and by withdrawing the funds to pay numerous personal expenses, Respondent commingled funds belonging to Respondent 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 Rules of Professional Conduct.

32. By issuing check numbers 1235 and 1234 from the Bank of America CTA and check numbers 1050 and 1002 from the Citibank CTA when he knew or was grossly negligent in not knowing that there were insufficient funds in the CTAs to pay the checks, Respondent committed acts involving moral turpitude, in willful violation of section 6106 of the Business and Professions Code.

⁴ The full account number is omitted for privacy purposes.

WAIVER OF FINALITY OF CONVICTION [Rule 5.344(B)]:

Pursuant to the Rules of Procedure of the State Bar of California, rule 5.344(B), the parties stipulate that the Court may decide the issues as to the discipline to be imposed even if the criminal convictions discussed herein are not final.

Respondent waives finality of his convictions and consents to the State Bar Court's acceptance of this Stipulation as to facts, conclusions of law and discipline in all respects as if the convictions were final, including the entry of findings consistent with this Stipulation, imposition of discipline, or entry of a recommendation as to the degree of the discipline to be imposed.

Respondent waives any right to challenge on the basis of a lack of finality of his convictions the State Bar Court's recommendation of discipline, if any, and the actual imposition of discipline, if any, by the State Bar Court or the California Supreme Court.

Respondent further waives any right he may have to seek review or reconsideration on the basis of any relief he may receive as a result of any appeal of, or petition regarding, the criminal convictions underlying any recommendation of and/or actual imposition of discipline by the State Bar Court or the California Supreme Court.

Case No. 09-C-16977

PROCEDURAL BACKGROUND

33. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.

34. On February 28, 2011, Respondent pled *nolo contendere* to one misdemeanor count of possession of controlled substance in violation of Health and Safety Code section 11377(a). That same day, the court accepted Respondent's plea, and Respondent was convicted.

FACTS AND CIRCUMSTANCES SURROUNDING RESPONDENT'S CONVICTION

Respondent admits that the following facts are true:

35. On September 21, 2009, at about 10:00 a.m., Respondent was detained at the entrance to the Santa Monica ("SM") Courthouse, when the large metal detection machine sounded after Respondent had placed all his belongings from his pockets into a bowl and walked through the metal detector. The security officers for the SM Courthouse found a packet containing a white crystallized substance concealed in Respondent's left sock.

36. A presumptive chemical test ("Wells Test") was performed on the substance which tested positive for 2.09 grams of amphetamine. Respondent was subsequently arrested and booked for violation of Health and Safety Code section 11377(a), possession of methamphetamine.

37. On October 22, 2009, a criminal complaint was filed against Respondent in the Superior Court of California, County of Los Angeles, in the matter entitled *People v. Michael Horrell Inman*,

Case No. 9WA25359, charging Respondent with one misdemeanor count of violation of Health and Safety Code section 11377, possession of methamphetamine.

38. On February 28, 2011, Respondent pled *nolo contendere* to one misdemeanor count of possession of controlled substance in violation of Health and Safety Code section 11377(a). That same day, the court accepted Respondent's plea, and Respondent was convicted. Respondent received no probation and 90 days in Los Angeles County Jail to be served immediately and concurrently with his conviction in his other felony case. Respondent was given credit for 9 days in custody, 6 days actual custody and 3 days good time/work time.

FACTS AND CIRCUMSTANCES INVOLVING MORAL TURPITUDE

39. Respondent admits and acknowledges that the facts and circumstances of his conviction involve moral turpitude.

Case No. 10-C-05877

PROCEDURAL BACKGROUND

40. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.

41. On February 14, 2011, Respondent pled *nolo contendere* to one felony count of bringing drugs into a jail in violation of Penal Code section 4573. That same day, the court accepted Respondent's plea, and Respondent was convicted.

FACTS AND CIRCUMSTANCES SURROUNDING RESPONDENT'S CONVICTION

Respondent admits that the following facts are true:

42. On June 15, 2010, at the Clara Shortridge Foltz Criminal Justice Center ("CJC"), Respondent, who was scheduled to be in court to see an inmate, requested to speak with another female inmate/client inside the secured lock up area. Respondent was escorted to the lock up area by Bailiff Deputy Lachasse.

43. Two detectives of the Los Angeles County Sheriff's Department, Detective Smith and his supervisor Sergeant Gutierrez, and K-9 handler Deputy Staggs came to the lock up area where Respondent was waiting to speak with his client. Deputy Staggs had a certified scent detection dog, Toby, from the Los Angeles County Sheriff's Department.

44. The deputies removed the female inmate from the interview room so that Toby could perform a scent search on her. Toby did not detect narcotics on her. Two other inmates were removed from their cells for a scent search. Toby did not detect any narcotics on the inmates. Toby then searched the room where the meeting was taking place and did not detect any narcotics. Deputy Staggs also searched the interview room and the floor of the room, and did not see anything except a table and two chairs.

45. When Respondent was brought into the cleared interview room, Toby showed interest in Respondent's front left pocket. After conducting a search on Respondent's pockets, Detective Smith

found a loose, off white crystallized substance resembling methamphetamine in his front left pocket. As the suspected substance was emptied on the table in front of him, Respondent made a spontaneous statement saying, "I forgot that was there." At that point, Respondent was arrested.

46. After Respondent's arrest, Toby alerted his handler to the floor area of the attorney interview room. Detective Smith noticed a yellow ball-like object in the corner of the room that was not there a few moments earlier when Deputy Staggs searched the room. The object, about the size of a golf ball, was a yellow balloon with a hard substance inside. Detective Smith recognized the substance as black tar heroin. Detective Smith weighed the substance as 19.2 grams.

47. That same day, in the afternoon, Detective Smith obtained a search warrant for Respondent's residence. Detective Smith located two bindles of a substance which resembled heroin inside Respondent's bedroom. Each bindle was tested and found to be heroin.

48. On June 17, 2010, a criminal complaint was filed against Respondent in the Superior Court of California, County of Los Angeles, in the matter entitled *People v. Michael Horrell Inman*, Case No. BA372549, charging Respondent with the following four felony counts: Penal Code section 4573, Bringing Drugs into a Jail, Penal Code section 4573.6, Possession of a Controlled Substance in a Jail, Health & Safety Code section 11351, Possession for Sale of a Controlled Substance, and Health & Safety Code section 11352(a), Sale/Transportation/Offer to Sell a Controlled Substance.

49. On February 14, 2011, Respondent pled *nolo contendere* to one felony count of bringing drugs into a jail in violation of Penal Code section 4573. That same day, the court accepted Respondent's plea, and Respondent was convicted. Respondent received 120 days in Los Angeles County Jail to begin on February 22, 2011, less credit for 64 days in custody, 32 days actual custody and 32 days good time/work time. Respondent was placed on formal probation for a period of three years under certain terms and conditions including, but not limited to, registration as a convicted narcotics offender, random submission of person and property to search and seizure, periodic controlled substance testing, and cooperation with the probation officer in a drug treatment program and rehabilitation.

50. On February 22, 2011, Respondent surrendered directly to Los Angeles County Jail for service of jail time. The other three felony counts were dismissed due to plea negotiation.

FACTS AND CIRCUMSTANCES INVOLVING MORAL TURPITUDE

51. Respondent admits and acknowledges that the facts and circumstances of his conviction involve moral turpitude.

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was March 15, 2011.

AUTHORITIES SUPPORTING DISCIPLINE.

Standard 1.3 provides:

The primary purposes of disciplinary proceedings conducted by the State Bar of California and of sanctions imposed upon a finding or acknowledgment of a member's 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. Rehabilitation

of a member is a permissible object of a sanction imposed upon the member but only if the imposition of rehabilitative sanctions is consistent with the above-stated primary purposes of sanctions for professional misconduct.

Standard 3.2 provides, in pertinent part:

Final conviction of a member of a crime which involves moral turpitude, either inherently or in the facts and circumstances surrounding the crime's commission shall result in disbarment. Only if the most compelling mitigating circumstances clearly predominate, shall disbarment not be imposed.

Case Law:

"Disbarments, and not suspensions, have been the rule rather than the exception in cases of serious crimes involving moral turpitude." *In re Crooks* (1990) 51 Cal.3d 1090, 1191. See also *In re Lesansky* (2001) 25 Cal.4th 11.

In *In re Possino* (1984) 37 Cal.3d 163, the attorney, who was convicted of offering to sell a large quantity of marijuana to undercover police officers, was disbarred in view of the facts that the marijuana sale was not an isolated incident, he acted on his own initiative, and stood willing and able to deliver the contraband.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of March 15, 2011, the prosecution costs in this matter are \$14,962.74. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

(213) 626-7330

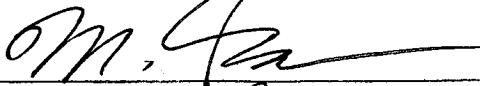
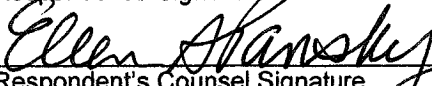
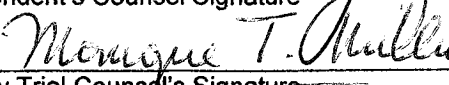
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In the Matter of: MICHAEL H. INMAN	Case number(s): 06-O-15222; 09-O-14338; 09-O-15704; 09-O-16507; 10-O-00943; 10-O-01901; 10-O-02631; 10-O-06570; 09-C-16977; 10-C-05877
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SIGNATURE OF THE PARTIES

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, Conclusions of Law, and Disposition.

<u>3/21/11</u> Date	 Respondent's Signature	<u>Michael H. Inman</u> Print Name
<u>3/28/11</u> Date	 Respondent's Counsel Signature	<u>Ellen A. Pansky</u> Print Name
<u>March 29, 2011</u> Date	 Deputy Trial Counsel's Signature	<u>Monique T. Miller</u> Print Name

(Do not write above this line.)

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DISBARMENT 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 stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- ☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- ☒ All Hearing dates 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 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

Respondent is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three (3) calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 5.111(D)(2) of the Rules of Procedure of the State Bar of California, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

04-12-11
Date


Judge of the State Bar Court

RICHARD A. PLATEL

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 Los Angeles, on April 12, 2011, I deposited a true copy of the following document(s):


STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND
ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT

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:
- ELLEN ANNE PANSKY
PANSKY MARKLE HAM LLP
1010 SYCAMORE AVE UNIT 308
SOUTH PASADENA CA 91030
- ☐ 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:

MONIQUE MILLER, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on April 12, 2011.



Angela Carpenter
Case Administrator
State Bar Court