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

In the Matter of)	Case No.: 07-C-11625-LMA
)	
DAVID M. SMITH,)	ORDER GRANTING RESPONDENT'S
)	MOTION FOR EXTENSION OF TIME
Member No. 242063)	TO PAY DISCIPLINE COSTS
)	
<u>A Member of the State Bar.</u>)	

On November 17, 2010, petitioner **DAVID M. SMITH** filed a Motion for Extension of Time to Pay Discipline Costs in the above-captioned case. (Rules Proc. of State Bar, rule 282.) Petitioner submitted a financial statement in support of his petition for relief based on financial hardship. (Rules Proc. of State Bar, rule 282(b)(2).)

On December 6, 2010, the Office of the Chief Trial Counsel of the State Bar of California (State Bar), by Deputy Trial Counsel Maria Oropeza filed a response to the motion.

After carefully considering all issues set forth in the pleadings submitted by petitioner and the State Bar and the evidence provided therewith, the court finds that petitioner has demonstrated financial hardship. Accordingly, the court **GRANTS** petitioner's request to extend time to pay disciplinary costs.

In view of petitioner's financial hardship and good cause appearing, the court **ORDERS** petitioner to pay the disciplinary costs in three equal installments along with his membership fees commencing with the 2012 billing cycle. In accordance with Business and Professions Code section 6086.10, one-third of the costs must be paid with petitioner's membership fees for the

years 2012, 2013, and 2014. It is further ordered that if petitioner fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California. (Rules Proc. of State Bar, rule 286.) The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

IT IS SO ORDERED.

Dated: December 7, 2010



LUCY ARMENDARIZ
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 December 7, 2010, I deposited a true copy of the following document(s):

ORDER GRANTING RESPONDENT'S MOTION FOR EXTENSION OF TIME TO PAY DISCIPLINE 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 M. SMITH
LAW OFC OF DAVID M. SMITH
PO BOX 30901
WALNUT CREEK, CA 94598**

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

MARIA J. OROPEZA, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on December 7, 2010.



Bernadette C.O. Molina
Case Administrator
State Bar Court