

FILED

AUG 27 2008 *HOC*

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

PUBLIC MATTER

STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES

In the Matter of

ROBERT JOHN CORRY,

Member No. 171979,

A Member of the State Bar.

) Case No.: 07-C-13533

) **ORDER VACATING ORDER**
) **APPROVING STIPULATION FILED**
) **JUNE 25, 2008; ORDER MODIFYING**
) **AND APPROVING STIPULATION**

In May 2008, the parties executed, and submitted to the court, a stipulation re facts, conclusions of law and disposition in the above-entitled matter. In that stipulation, the parties agreed that the appropriate level of discipline for the misconduct to which they stipulated included, inter alia, a 60-day actual suspension. The parties attached to their stipulation, a form order approving the stipulation, which this court signed on June 23, 2008. On June 25, 2008, a court case administrator filed the parties' stipulation and the court's order approving it.

The court now independently finds that the parties attached the wrong order to their stipulation and that the court improvidently signed that order on June 23, 2008. The parties improperly attached a form order that the State Bar Court's Executive Committee approved for use with stipulations in Alternative Discipline Program matters. The parties should have attached a form order that the Executive Committee approved for use with stipulations in which the parties agree that discipline should include a period of actual suspension.



Even though it approved the parties' stipulation, the order that this court signed on June 23, 2008, did not approve the parties' stipulated disposition or recommend the discipline to the Supreme Court. Instead, it merely approved the parties' stipulated facts and conclusions of law.

Accordingly, the order approving stipulation filed on June 25, 2008, is vacated, and the court now renders the following 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 AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.

1. On page 1 of the stipulation at paragraph A.(3), line 3, "11" is Deleted, and in its place is inserted "28".
2. On page 2 of the stipulation at paragraph A.(8), "prior to February 1 in three billing cycles following the effective date of the discipline" is deleted, and in its place is inserted "2010, 2011 and 2012. It is further recommended that if Robert John Corry 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."

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) the court modifies or further modifies the approved stipulation. (See rule 135(b), 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.)

Dated: August 27, 2008



RICHARD A. PLATEL
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 <select city>, on August 27, 2008, I deposited a true copy of the following document(s):

ORDER VACATING ORDER APPROVING STIPULATION FILED JUNE 25, 2008;
ORDER MODIFYING AND APPROVING STIPULATION

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

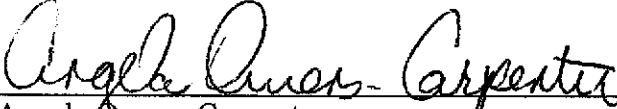
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ROBERT J CORRY
SOUTH TOWER
600 17TH ST STE 2800
DENVER CO 90202

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

MICHAEL GLASS, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 27, 2008.



Angela Owens-Carpenter
Case Administrator
State Bar Court