

**PUBLIC MATTER**

**FILED**

OCT 07 2009

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

**STATE BAR COURT OF CALIFORNIA**

**HEARING DEPARTMENT – SAN FRANCISCO**

In the Matter of:	)	Case Nos.: <b>08-O-11442-PEM,</b>
	)	<b>05-O-02161-PEM</b>
<b>JUAN FALCON</b>	)	
	)	<b>INACTIVE ORDER UNDER</b>
<b>Member No. 177400,</b>	)	<b>BUSINESS AND PROFESSIONS</b>
	)	<b>CODE § 6233</b>
<u>A Member of the State Bar.</u>	)	

The court has stated that it would allow respondent Juan Falcon to participate in the Alternative Discipline Program (ADP) only if he agreed to be placed on inactive status pursuant to business and Professions Code section 6233. Respondent has agreed to the inactive enrollment.

In light of the foregoing, pursuant to business and professions code section 6233, the court hereby orders that:

1. Respondent Juan Falcon be enrolled as an inactive member of the State Bar of California **effective** October 17, 2009.
2. Respondent is to remain on inactive enrollment for a period of one year.
3. Within 30 days after the effective date of his inactive enrollment, respondent must comply with the following requirements set forth in the California Rules of court, rule 9.20:
  - a. Notify all clients being represented in pending matters and any co-counsel of his involuntary inactive enrollment pursuant to Business and Professions Code section 6233 and his

consequent disqualification to act as an attorney effective October 17, 2009. In the absence of co-counsel, respondent must also notify the clients to seek legal advise elsewhere, calling attention to any urgency in seeking the substitution of another attorney or attorneys;

b. Deliver to all clients being represented in pending matters any papers or other property to which the clients are entitled or notify the clients and any co-counsel of a suitable place and time where the papers and other property may be obtained, calling attention nto any urgency for obtaining the papers or other property;

c. Refund any part of fees paid that are unearned; and

d. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's inactive enrollment and consequent disqualification to act as an attorney effective October 17, 2009, and file a copy of the notice with the agency, court, or tribunal before which the litigation is pending for inclusion in the respective file or files.

All notices required by this order must be given by registered or certified mail, return receipt requested, and must contain an address where communications may be directed to respondent.

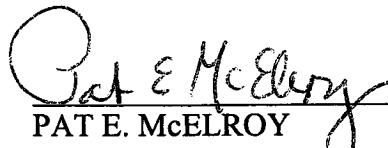
Furthermore, within 40 days after the effective date of his inactive enrollment, respondent must file with this court an affidavit showing that he has fully complied with the requirements set forth above. The affidavit must also set forth an address where communications may be directed to respondent.

4. If respondent is terminated from the ADP, he will be removed from the inactive enrollment pursuant to Business and Professions Code section 6233 and he will not receive credit for any period of time he spent on inactive status pursuant to this order.

5. If respondent successfully completes the ADP, including complying with all conditions of this participation, the court will recommend that he receive credit for the period of inactive enrollment pursuant to this order towards any period of actual suspension imposed by the Supreme Court.

**IT IS SO ORDERED.**

Dated: October 7, 2009

  
\_\_\_\_\_  
PAT E. 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 October 7, 2009, I deposited a true copy of the following document(s):

INACTIVE ORDER UNDER BUSINESS AND PROFESSIONS CODE § 6233

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:

JUAN M. FALCON  
FALCON & ASSOCIATES  
252 N FULTON ST  
FRESNO, CA 93701

- 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:

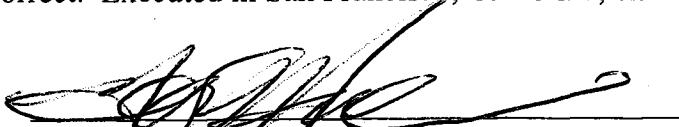
- by fax transmission, at fax number . No error was reported by the fax machine that I used.

- 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:

Wonder Liang, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on October 7, 2009.

  
George Hue  
Case Administrator  
State Bar Court