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STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – SAN FRANCISCO



In the Matter of)	Case No.: 08-PM-14212
)	(S153540)
THOMAS RALPH MITCHELL,)	
)	ORDER GRANTING PARTIAL RELIEF
Member No. 199953,)	FROM COSTS & EXTENDING TIME TO
)	PAY COSTS
<u>A Former Member of the State Bar.</u>)	

This matter is before the court on Thomas Ralph Mitchell's January 7, 2010 motion for relief from order assessing costs.¹ On January 28, 2010, the Office of the Chief Trial Counsel of the State Bar of California filed a response to Mitchell's motion for relief.²

In his motion, Mitchell seeks relief from the Supreme Court's July 31, 2009 order in *In re Thomas Ralph Mitchell on Discipline*, case number S153540 (State Bar Court case number 08-PM-14212) under which he was assessed \$1,546.00 in disciplinary costs.

¹ Mitchell included the present motion in the motion for relief from order assessing costs that he filed in case number 05-O-01163-PEM (S153540) on January 7, 2010 (Mitchell inartfully titled his January 7, 2010 motion in case number 05-O-01163-PEM as a "petition for stipulation for relief from payment of costs"). The court's case administrators are to file a copy of Mitchell's January 7, 2010 motion for relief from order assessing costs in case number 05-O-01163-PEM (S153540) in the present case.

² The State Bar filed only one response to Mitchell's motions in case number 05-O-01163-PEM (S153540) and in the present case. Accordingly, the court's case administrators are to file a copy of the State Bar's response in case number 05-O-01163-PEM (S153540) in the present case.

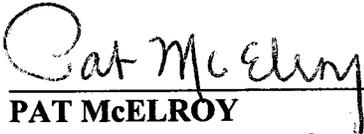
Mitchell has established sufficient grounds of hardship and special circumstances involving his health to waive \$386.50 (or 25 percent) of the \$1,546.00 in assessed costs. Similarly, Mitchell has established sufficient hardship and special circumstances involving his health to grant him an extension of time to pay the remaining reduced costs of \$1,159.50 (\$1,546.00 less \$386.50).

ORDER

Thomas Ralph Mitchell's January 7, 2010 motion for relief from order assessing costs is GRANTED to the extent that the court ORDERS that the disciplinary costs assessed against Mitchell under the Supreme Court's July 31, 2009 order in *In re Thomas Ralph Mitchell on Discipline*, case number S153540 (State Bar Court case number 08-PM-14212) are reduced from \$1,546.00 to \$1,159.50 and that Thomas Ralph Mitchell must pay one-fifth of the reduced costs of \$1,159.50 with his annual State Bar membership fees for the years 2011, 2012, 2013, 2014, and 2015. (Bus. & Prof. Code, § 6086.10, subd. (c); Rules Proc. of State Bar, rule 282(a).)

The court further ORDERS that, if Mitchell fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court under Business and Professions Code section 6086.10, subdivision (c) and Rules of Procedure of the State Bar, rule 282 or 284, the remaining balance of the costs is due and payable immediately. (Rules Proc. of State Bar, rule 286.) The payment of costs remains enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Dated: February 19, 2010.



PAT 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, February 24, 2010, I deposited a true copy of the following document(s):

ORDER GRANTING PARTIAL RELIEF FROM COSTS & EXTENDING TIME TO PAY 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:

**THOMAS R. MITCHELL
8316 VALIANT DR
SALT LAKE CITY, UT 84121**

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

ROBERT HENDERSON , Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on February 24, 2010.


Laretta Cramer
Case Administrator
State Bar Court