

**FILED**

FEB 16 2011

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STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT – SAN FRANCISCO

In the Matter of	)	Case No.: 08-PM-14212-PEM
	)	(S153540)
<b>THOMAS RALPH MITCHELL,</b>	)	
	)	<b>ORDER GRANTING EXTENSION OF TIME</b>
<b>Member No. 199953,</b>	)	<b>TO PAY COSTS</b>
	)	
<u>A Member of the State Bar.</u>	)	

This matter is before the court on Thomas Ralph Mitchell's Motion for Extension of Time to Pay Costs (motion) in case No. 08-PM-14212. The motion, which was received by the court on January 14, 2011, is made on grounds of financial hardship. In his motion, Mitchell requests that he be allowed to pay the assessed disciplinary costs in the years 2012 through 2016, in lieu of the years 2011 through 2015.<sup>1</sup> On January 25, 2011, Mitchell filed his motion and attached documents, as well as a financial declaration with the court.

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<sup>1</sup> On February 24, 2010, this court issued an Order Granting Partial Relief from Costs and Extending Time to Pay Costs, thereby reducing the costs, imposed by the Supreme Court in its order filed on July 31, 2009, in case No. S153540 (State Bar Court case No. 08-PM-14212), and requiring that Mitchell pay one-fifth of the reduced amount of \$1,159.50 with his annual State Bar membership fees for the years 2011, 2012, 2013, 2014, and 2015.

The court notes that the caption of the February 24, 2010 order refers to Mitchell as "A Former Member of the State Bar." Although Mitchell is not currently eligible to practice law, he was never disbarred and has remained a member of the State Bar of California. Thus, the reference to Mitchell, as a "[f]ormer [m]ember," in the February 24, 2010 order is a clerical error.



The Office of Probation of the State Bar of California, by and through Supervising Attorney Terrie Goldade, filed a response, stating that the Office of Probation does not oppose Mitchell's payment plan.

In view of Mitchell's financial hardship and good cause appearing, the court hereby **GRANTS** his motion for extension of time to pay disciplinary costs.

The court **ORDERS** that Thomas Ralph Mitchell is not required to begin paying the assessed disciplinary costs in this matter in 2011, as previously ordered in this court's February 24, 2010 Order Granting Partial Relief from Costs and Extending Time to Pay Costs; but, he must pay one-fifth of the \$1,159.50 disciplinary costs assessed in this matter with his annual State Bar membership fees for the years 2012, 2013, 2014, 2015, and 2016. (Bus. & Prof. Code, § 6086.10, subd. (c).)

All other terms and conditions remain as previously ordered by the California Supreme Court and as modified by this court in its February 24, 2010 Order Granting Partial Relief from Costs and Extending Time to Pay Costs.

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), the remaining balance of the costs is due and payable immediately. The payment of costs remains enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**IT IS SO ORDERED.**

Dated: February 17, 2010.

  
PAT McELROY  
Judge of the State Bar Court

**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 San Francisco, On February 16, 2011, I deposited a true copy of the following document(s):

ORDER GRANTING EXTENSION OF 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:

TERRIE GOLDADE Probation , Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on February 16, 2011.



Laurretta Cramer  
Case Administrator  
State Bar Court