STATE BAR COURT OF CALIFORNIA HEARING DEPARTMENT 180 Howard St., 6th Flo., San Francisco, CA 94105	FOR CLERK'S USE ONLY: FILED DEC 0 2 2009 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In the Matter of: **DONALD EUGENE ROY,** **Member No. 96043,** A Member of the State Bar.	**Case No(s). 09-N-14491-PEM** **ORDER OF ENTRY OF DEFAULT (RULE 200 - FAILURE TO FILE TIMELY RESPONSE), ORDER ENROLLING INACTIVE AND FURTHER ORDERS**

NOTICE OF ENTRY OF DEFAULT:

TO ALL PARTIES AND COUNSEL IN THE ABOVE ENTITLED MATTER:

Upon motion by the State Bar and no written response having been filed within 10 days after service of said motion, Respondent is hereby notified that:

> **"Your default has been entered because of your failure to timely file a response to the notice of disciplinary charges filed in this proceeding. The factual allegations set forth in the notice of disciplinary charges have been deemed admitted. You may not participate further in these proceedings unless and until your default is set aside on motion timely made under the prescribed grounds. See rules 200 et seq., Rules of Procedure for State Bar Court Proceedings."**
>
> **"In light of the entry of your default, if the discipline imposed by the Supreme Court in this proceeding includes a period of actual suspension, you will remain suspended from the practice of law for at least the period of time specified by the Supreme Court. In addition, the actual suspension will continue until you have requested, and the State Bar Court has granted, a motion for termination of the actual suspension. As a condition for terminating the actual suspension, the State Bar Court may place you on probation and require you to comply with such conditions of probation as the State Bar Court deems appropriate. See rules 205, Rules of Procedure for State Bar Court Proceedings.**
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> **"Pursuant to Business and Professions Code section 6007(e), upon entry of the respondent's default, the Court shall order the involuntary inactive enrollment of a respondent in a disciplinary proceeding if the Court determines that the conditions in section 6007(e)(1) have been met. See rules 500 et seq., Rules of Procedure of the State Bar of California."**

The parties are hereby notified that all previously scheduled court dates are vacated. No further notices or pleadings will be served upon Respondent except for a copy of the decision of the State Bar Court and any request for review filed by the State Bar.

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The entry of default is effective upon the filing of this notice.

ORDER ENROLLING INACTIVE:

The conditions of Business and Professions Code section 6007(e)(1) having been met,

IT IS ORDERED that **DONALD EUGENE ROY** be involuntarily enrolled as an inactive member of the State Bar of California pursuant to section 6007(e) of the Business and Professions Code. The inactive enrollment is effective three (3) days after service of this order by mail pursuant to rule 500 of the Rules of Procedure of the State Bar of California.

FURTHER PROCEEDINGS:

No Default Hearing will be held unless one is requested by the Office of the Chief Trial Counsel. If the Office of the Chief Trial Counsel wishes to file any further declarations, exhibits, or legal argument re level of discipline, it may do so no later than **December 28, 2009**. If Respondent has a prior record of discipline which Office of the Chief Trial Counsel wishes the Court to consider as a matter in aggravation, it must establish that record by clear and convincing evidence. If no further evidence is received, the matter will stand submitted on all issues on **December 28, 2009.**

IT IS SO ORDERED.

Dated: December 2, 2009

Pat E. McElroy

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 December 2, 2009, I deposited a true copy of the following document(s):

ORDER OF ENTRY OF DEFAULT (RULE 200 - FAILURE TO FILE TIMELY RESPONSE), ORDER ENROLLING INACTIVE AND FURTHER ORDERS

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 , California, addressed as follows:

☒ by certified mail, No. 7160 3901 9845 7818 9897, with return receipt requested, through the United States Postal Service at San Francisco, California, addressed as follows:

DONALD EUGENE ROY
1603 N EAST ST
ALTURAS, CA 96101

☐ 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:

Treva R. Stewart, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on December 2, 2009.

George Hue
Case Administrator
State Bar Court