

PUBLIC MATTER

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STATE BAR COURT

1 STATE BAR COURT CLERK'S OFFICE  
2 SAN FRANCISCO HEARING DEPARTMENT - SAN FRANCISCO

12 In the Matter of: ) Case Nos. 09-O-11892; 09-O-12850; 10-O-  
13 DENNIS LYNN WRIGHT, ) 00002; 10-O-03274; 10-O-03975; 11-O-13095  
14 No. 60210, ) AMENDMENT TO ATTACHMENT TO  
15 A Member of the State Bar ) STIPULATION RE FACTS AND  
16 ) CONCLUSIONS OF LAW

17 The parties hereby submit this Facts and Conclusions of Law for case 11-O-13095 as an  
18 amendment to the Stipulated Facts and Conclusions of Law filed in case numbers 09-O-11892,  
19 09-O-12850, 10-O-0002, 10-O-3274, and 10-O-3975 filed on April 20, 2011.

20 Respectfully submitted,

21 THE STATE BAR OF CALIFORNIA  
22 OFFICE OF THE CHIEF TRIAL COUNSEL

23  
24 DATED: October 12, 2012

BY:

*Erica L. Dennings*  
Erica Dennings  
Senior Trial Counsel

25  
26  
27 Dated: October 11, 2012

*Dennis Lynn Wright*  
Dennis Lynn Wright  
Respondent



**ATTACHMENT TO**

**STIPULATION RE FACTS AND CONCLUSIONS OF LAW**

IN THE MATTER OF:       **DENNIS LYNN WRIGHT**

CASE NUMBER:           **11-O-13095**

**FACTS AND CONCLUSIONS OF LAW**

Case No. 11-O-13095 (Owens)

Facts:

1. On August 19, 2009, Robert Owens (hereinafter "Mr. Owens") hired respondent to represent him in a dissolution matter. On September 22, 2009, Mr. Owens hired respondent to represent him in a bankruptcy matter.

Dissolution Matter:

2. On September 28, 2009, respondent filed a petition for dissolution on behalf of Mr. Owens, *Robert J. Owens v. Katherine Owens*, Contra Costa Superior Court, Case Number D09-04551.

3. On November 24, 2009, Katherine Owens (hereinafter "Ms. Owens") served respondent with Form Interrogatories. On October 28, 2010, Ms. Owens served respondent with a Notice of Motion and Motion for Order Compelling Answers to Interrogatories and For Sanctions, which was set for a court hearing on December 6, 2010. Respondent received the motion, but failed to file an opposition to the motion on behalf of Mr. Owens. On December 3, 2010, respondent served Ms. Owens with responses to Form Interrogatories, which were not verified by Mr. Owens.

4. On December 3, 2010, Respondent sought a continuance of the court hearing set on Ms. Owens' motion, which was not granted by the court.

5. On December 6, 2010, respondent failed to appear at the court hearing on Ms. Owens' motion. The court awarded sanctions against Mr. Owens in the amount of \$3,500. Respondent received the order and was aware of its contents. Respondent failed to inform Owens that \$3,500 in sanctions were awarded against him.

6. In March, 2011, Mr. Owens hired another attorney, Merritt Weisinger, to represent him in the dissolution matter. On April 20, 2011, Mr. Weisinger requested that respondent sign a

substitution of attorney form. Respondent failed to return the signed substitution of attorney form until May 19, 2011.

Bankruptcy Matter:

7. At the time he hired respondent, Mr. Owens requested that Respondent immediately file a bankruptcy petition, as creditors were calling him. Respondent failed to file the bankruptcy petition until October 25, 2010.

Conclusions Of Law:

8. By failing to provide verified responses to discovery in the dissolution matter, by failing to file an opposition to Ms. Owens' discovery motion, by failing to appear at the court hearing on Ms. Owens' discovery motion, by filing the bankruptcy petition more than one year after he was hired, and by delaying the filing of the substitution of attorney substituting him out of the dissolution matter, Respondent repeatedly failed to perform legal services with competence, in wilful violation of Rules of Professional Conduct, rule 3-110(A).

9. By failing to notify Mr. Owens that a sanction was awarded against him in the dissolution matter, respondent failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services, in wilful violation of Business and Professions Code section 6068(m).

DECLARATION OF SERVICE

by
U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 09-O-11892 [09-O-12850; 10-O-00002; 10-O-3274; 10-O-3975; 11-O-13095]

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

AMENDMENT TO ATTACHMENT TO STIPULATION RE FACTS AND CONCLUSIONS OF LAW

- By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

- (for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at San Francisco, addressed to: (see below)
(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: at San Francisco, addressed to: (see below)
(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to. Row 1: DENNIS L. WRIGHT, D L WRIGHT & ASSOCIATES, 4040 CIVIC CENTER DR. SAN RAFAEL, CA 94903, Electronic Address.

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ('UPS').

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: October 12, 2012

SIGNED: ANNA REA DUNGO Declarant

(Do not write above this line.)

In the Matter of: DENNIS LYNN WRIGHT	Case Number(s): 09-O-11892 [09-12850; 10-O-0002; 10-O-3274; 10-O-3975; 11-O-13095]
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### ALTERNATIVE DISCIPLINE PROGRAM 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 stipulation as to facts and conclusions of law is APPROVED.
- The stipulation as to facts and conclusions of law is APPROVED AS MODIFIED as set forth below.
- All court dates in the Hearing Department are vacated.

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) this court modifies or further modifies the approved stipulation; or 3) Respondent is not accepted for participation in the Program or does not sign the Program Contract. (See rule 5.58(E) & (F) and 5.382(D), Rules of Procedure.)

Nov. 19, 2012  
Date

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 November 20, 2012, I deposited a true copy of the following document(s):

AMENDMENT TO ATTACHMENT TO STIPULATION RE FACTS AND CONCLUSIONS OF LAW

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:

DENNIS LYNN WRIGHT  
D L WRIGHT & ASSOCIATES  
4040 CIVIC CENTER DR  
SAN RAFAEL, CA 94903

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

Erica L. M. Dennings, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on November 20, 2012.



Laretta Cramer  
Case Administrator  
State Bar Court