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<p>PUBLIC MATTER State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION</p>		
<p>Counsel For The State Bar</p> <p>Mia R. Ellis State Bar of California 1149 South Hill Street Los Angeles, CA 90015</p> <p>Bar # 228235</p>	<p>Case Number(s): 09-O-16750; 10-O-02585</p> <p>PUBLIC MATTER</p>	<p>For Court use only</p> <p>FILED JUN 20 2011  STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> <p>kwiktag® 018 043 246 </p>
<p>In Pro Per Respondent</p> <p>Ronald White 17625 S. Central Avenue, Suite D Carson, CA 90746</p> <p>Bar # 85723</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p>	
<p>In the Matter of: Ronald White</p> <p>Bar # 85723</p> <p>A Member of the State Bar of California (Respondent)</p>	<p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted May 31, 1979.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 10 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
 - Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline** [see standard 1.2(f)]
 - (a) State Bar Court case # of prior case 00-C-10007
 - (b) Date prior discipline effective April 4, 2002
 - (c) Rules of Professional Conduct/ State Bar Act violations: Business and Professions Code section 6068(a)
 - (d) Degree of prior discipline one year stayed, two years probation, and ninety days actual
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings. By stipulating to facts, conclusions of law and discipline, Respondent has been cooperative with the State Bar.
- (4) **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) **Good Faith:** Respondent acted in good faith.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.

- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of one year.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:
- (b) The above-referenced suspension is stayed.

(2) **Probation:**

Respondent must be placed on probation for a period of two years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3) **Actual Suspension:**

- (a) Respondent must be actually suspended from the practice of law in the State of California for a period of ninety (90) days.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in the general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.

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- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
 - No Ethics School recommended. Reason: .
- (9) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) The following conditions are attached hereto and incorporated:
 - Substance Abuse Conditions Law Office Management Conditions
 - Medical Conditions Financial Conditions

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without**

further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.

No MPRE recommended. Reason:

- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:**

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Ronald White
CASE NUMBER(S): 09-O-16750, 10-O-02585

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 09-O-16750 (Complainant: Deion Haggerty)

FACTS:

1. In 2007, Respondent represented Deion Haggerty ("Haggerty") in a criminal trial.
2. On June 28, 2009, Haggerty wrote Respondent requesting that Respondent release Haggerty's client file so that he may pursue a habeas corpus petition. On June 28, 2009, Haggerty properly mailed the letter to Respondent. The June 28, 2009 letter was not returned as undeliverable or for any other reason. Respondent did not respond to the letter and did not release the client file.
3. On August 12, 2009, Haggerty wrote Respondent again requesting his file. On August 12, 2009, Haggerty properly mailed the letter to Respondent. The August 12, 2009 letter was not returned as undeliverable. Respondent did not respond to the letter and did not release the client file.
4. On December 7, 2009, Respondent wrote the State Bar stating that he had not received the two letters from Haggerty.
5. On April 20, 2010 and May 7, 2010, a State Bar investigator wrote Respondent and enclosed copies of Haggerty's June 28, 2009 and August 12, 2009 letters, including the proofs of service. The letters with the enclosures were properly mailed to Respondent at his official membership records address. Respondent received the investigator's letters with their enclosures, but Respondent did not promptly release the client file to Haggerty.
6. In April 2010, Respondent spoke to Haggerty by telephone and Haggerty again asked for documents from his file. Respondent failed to timely provide any client documents to Haggerty.
7. In December 2010, Respondent met with the State Bar, and Respondent was asked to release the client file to Haggerty.
8. In December 2010, Respondent released the client file to Haggerty.

CONCLUSIONS OF LAW:

By not timely releasing the client file to Haggerty despite his requests, Respondent failed to release promptly, upon termination of employment, to the client, at the request of the client, all the client papers and property Respondent willfully violated Rules of Professional Conduct, rule 3-700(D)(1).

Case No. 10-O-02585 (Complainant: Christian Martinez)

FACTS:

1. In February 2008, Christian Martinez ("Martinez") hired Respondent to represent Martinez in a criminal appeal. In February 2008, Respondent was paid \$3,000 in advanced attorney's fees to

pursue Martinez's criminal appeal before the California Court of Appeal, Second Appellate District, case no. B204770.

2. On April 7, 2008, Respondent substituted in as counsel for Martinez in the criminal appeal.
3. On June 4, 2008, the California Court of Appeal issued a notice regarding the failure to file the opening brief in Martinez's appeal.
4. On June 12, 2008, the California Court of Appeal issued a Notice of Default in Martinez's criminal appeal. The Notice of Default was properly served on Respondent. Respondent received notice of the default but did not notify Martinez that default had been entered in her appeal.
5. On June 16, 2008, Respondent filed a request for extension of time to file the opening brief and a request to set aside the default, which was granted on June 17, 2008.
6. On July 15, 2008, Respondent filed the opening brief in Martinez's appeal. Respondent did not inform Martinez that the opening brief had been filed in her criminal appeal.
7. On March 2, 2010, the California Court of Appeal issued an opinion in Martinez's criminal appeal modifying Martinez's sentence. Respondent was properly served with the opinion in the criminal appeal. Respondent received the opinion but did not inform Martinez that the opinion was issued and did not inform Martinez that her sentence had been altered.
8. On August 30, 2010, Martinez wrote Respondent asking him to provide the transcripts and other documents from her file. On or about August 30, 2010, Martinez properly mailed the letter to Respondent. Respondent received the letter but failed to respond and failed to release the client file to Martinez.
9. In February 2011, Respondent released the client file to Martinez's mother
10. On March 17, 2010, the State Bar opened an investigation, case no.
11. 10-O-02585, pursuant to a complaint made against Respondent regarding Christian Martinez (the "Martinez matter").
12. On April 5, 2010 and April 23, 2010, a State Bar investigator mailed letters to Respondent at his official membership records address regarding the Martinez matter. Respondent received the letters but failed to provide a response.
13. On May 12, 2010, Respondent contacted the State Bar investigator and requested an extension of time to provide a response, which was granted. Respondent failed to provide a response.
14. On November 24, 2010, Respondent telephoned the State Bar investigator and requested another copy of the April 5, 2010 letter regarding the Martinez matter. On or about November 29, 2010, the State Bar investigator faxed the April 5, 2010 letter to Respondent. Respondent receive the letter but did not provide a response

CONCLUSIONS OF LAW:

By failing to inform Martinez that default had been entered in her appeal, by failing to inform Martinez that he had filed an opening brief on her behalf and by failing to provide Martinez with the outcome of her appeal, Respondent failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services Respondent willfully violated Business and Professions Code, section 6068(m).

By not timely releasing the client file to Martinez despite her request, Respondent failed to release promptly, upon termination of employment, to the client, at the request of the client, all the client papers and property Respondent willfully violated Rules of Professional Conduct, rule 3-700(D)(1).

By not providing a written response to the allegations in the Martinez matter or otherwise cooperating in the investigation of the Martinez matter, Respondent failed to cooperate and participate in a disciplinary

investigation pending against Respondent, Respondent willfully violated Business and Professions Code, section 6068(i).

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was May 12, 2011.

AUTHORITIES SUPPORTING DISCIPLINE.

The Supreme Court emphasized the importance of the Standards and held that great weight should be given to the application of the Standards in determining the appropriate level of discipline. The Court indicated that unless it has "grave doubts as to the propriety of the recommended discipline," it will uphold the application of the Standards. *In re Silverton* (2005) 36 Cal. 4th 81, 91-92.

Standard 1.3 provides that the primary purposes of attorney discipline are, "the protection of the public, the courts and the legal profession; the maintenance of high legal professional standards by attorneys and the preservation of public confidence in the legal profession."

Standard 1.7(a) The Standards for Attorney Sanctions for Professional Misconduct provide, as follows: If a member is found culpable of professional misconduct in any proceeding in which discipline may be imposed and the member has a record of one prior imposition of discipline as defined by standard 1.2(f), the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding unless the prior discipline imposed was so remote in time to the current proceeding and the offense for which it was imposed so minimal in severity that imposing greater discipline in the current proceeding would be manifestly unjust.

Standard 2.6 provides that culpability of a member of a violation of sections 6125 and 6126, 6103 of The Business and Professions Code shall result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.

Standard 2.10 provides culpability of a member of a violation of any provision of the Business and Professions Code not specified in these standards or a wilful violation of any Rule of Professional Conduct not specified in these standards shall result in reproof or suspension according to the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in Standard 1.3

Balancing the aggravating and mitigating factors and the facts of the case, the 90-day actual suspension recommended is appropriate.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of May 12, 2011, the prosecution costs in this matter are \$4371. Respondent further acknowledges that the cost is an estimate and should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

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In the Matter of: Ronald White	Case number(s): 09-O-16750; 10-O-02585
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SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

6-3-11 Ronald White Ronald White
Date Respondent's Signature Print Name

Date Respondent's Counsel Signature Print Name
6/7/11 Mia H. Ellis Mia Ellis
Date Deputy Trial Counsel's Signature Print Name

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In the Matter of: RONALD WHITE	Case Number(s): 09-O-16750; 10-O-02585
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ACTUAL SUSPENSION ORDER

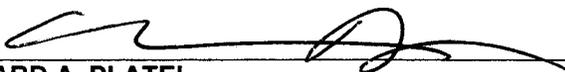
Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

*PAGE 2 - B. (1) (6) - DELETE - "APRIL 4, 2002"
Add - April 3, 2002*

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. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

06-30-11
Date


RICHARD A. PLATEL
Judge of the State Bar Court

RICHARD A. PLATEL

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 Los Angeles, on June 20, 2011, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

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 Los Angeles, California, addressed as follows:

RONALD WHITE
ATTORNEY AT LAW
17625 S CENTRAL AVE STE D
CARSON, CA 90746

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:

Mia R. Ellis, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 20, 2011.



Cristina Potter
Case Administrator
State Bar Court