

STATE BAR COURT OF CALIFORNIA HEARING DEPARTMENT 1149 S. Hill St., 5th Fl., Los Angeles, CA 90015	FOR CLERK'S USE ONLY: <div style="text-align: center;"> FILED NOV 16 2011 <i>MC</i> STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
In the Matter of: Michael Lawrence DeFrank Member No.: 187888 A Member of the State Bar	Case No(s): 10-H-11291 (S193837) <div style="text-align: center;"> ORDER MODIFYING CONDITIONS OF PROBATION AND EXTENDING DEADLINE FOR COMPLIANCE </div>

On October 13, 2011, Respondent filed a motion to have modified the Substance Abuse Conditions of probation, previously approved by this court and filed on April 21, 2011. In that motion, Respondent also asked that the date for his initial compliance with certain terms of the condition be extended. On November 14, 2011, the Office of Probation filed a response to the motion.

Good cause having been shown, the Substance Abuse Conditions of probation, previously approved by this court and filed on April 21, 2011, and the deadlines for compliance therewith, are modified as set forth below. This order is intended to supplement only certain terms of such Substance Abuse Conditions, as previously approved by this court, not replace all of them.

Respondent must abstain from use of any alcoholic beverages and shall not use or possess any narcotics, dangerous drugs, controlled substances, marijuana, or associated paraphernalia, except with a valid prescription.

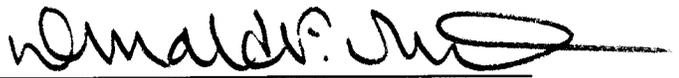
Within ten (10) days after the filing of this order, Respondent must select a licensed medical laboratory or laboratories acceptable to the Office of Probation and having the capability to provide observed testing of Respondent as specified below. Respondent must provide a copy of this order and of the Office of Probation Lab Test Information Sheet to each and every laboratory utilized by him to perform any portion of the testing required to comply with this condition of probation. In the event that Respondent subsequently is informed or learns that any laboratory, previously approved by the Office of Probation to conduct the testing set forth below, is no longer able or willing to perform any of such testing in the manner set forth below, Respondent is to notify the Office of Probation in writing of that fact within seventy-two hours after acquiring such information; and he must select a new licensed medical laboratory, acceptable to the Office of Probation and having the capability to provide observed testing of Respondent as specified below, sufficiently promptly that he will be able to continue to comply timely with the testing requirements set forth below.

Commencing December 1, 2011, Respondent must be tested, at his expense, within the first five (5) days of each calendar month during probation to show that he has abstained from the use of alcohol and drugs. This testing will utilize (1) a 10-panel test of Respondent's blood and (2) an Ethyl Glucuronide ("EtG") test of a sample of Respondent's urine obtained by the laboratory by observed collection, or equivalent tests accepted and approved in advance by the Office of Probation. These tests are to be performed by the laboratory pursuant to Department of Transportation Guidelines, including observed testing. Respondent must cause the laboratory to provide directly to the Office of Probation, at Respondent's expense, a screening report on or before the tenth day of each such month which contains an analysis of the above blood and urine tests, shows that each tested sample was properly obtained within ten days of the date of the report, and demonstrates that the above testing requirements were satisfied. A "screening report" lists all of the items for which Respondent was tested, with the individual results for each such item. An overall synopsis, e.g. "negative, with no breakdown, is not sufficient.

For good cause, the Office of Probation may require Respondent to submit to additional blood, urine, drug and/or alcohol testing within six hours after actual notice to Respondent that the Office of Probation requires an additional screening report. Respondent must maintain with the Office of Probation a current address and a current telephone number at which Respondent can be reached. Respondent must return any call from the Office of Probation concerning testing of Respondent within twelve (12) hours of the call being made

IT IS SO ORDERED.

Dated: November 16, 2011


DONALD F. MILES
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 Los Angeles, on November 16, 2011, I deposited a true copy of the following document(s):

ORDER MODIFYING CONDITIONS OF PROBATION AND EXTENDING DEADLINE FOR COMPLIANCE

in a sealed envelope for collection and mailing on that date as follows:

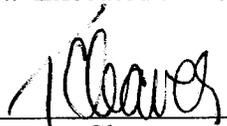
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**MICHAEL L. DEFRANK
LAW OFC MICHAEL L DEFRANK
35325 DATE PALM DR #123
CATHEDRAL CITY, CA 92234 - 7030**

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

TERRIE GOLDADE, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 16, 2011.



Tammy Cleaver
Case Administrator
State Bar Court