## PUBLIC MATTER

1 2 3 4 5 6	OFFICE OF THE CHIEF TRIAL COUNSEL JAYNE KIM, No. 174614 ACTING CHIEF TRIAL COUNSEL PATSY J. COBB, No. 107793 DEPUTY CHIEF TRIAL COUNSEL ALAN B. GORDON, No. 125642 ASSISTANT CHIEF TRIAL COUNSEL KRISTIN L. RITSEMA, No. 149966 SENIOR TRIAL COUNSEL CYNTHIA REED, No. 232326 DEPUTY TRIAL COUNSEL 1149 South Hill Street	FILED  MAR 09 2012  STATE BAR COURT CLERK'S OFFICE LOS ANGELES	
8	Los Angeles, California 90015-2299 Telephone: (213) 765-1204		
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10	STATE BAR COURT		
11	HEARING DEPARTMENT - LOS ANGELES		
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13	In the Matter of:	) Case No. 11-N-18892	
14	MANUEL ORTEGA, No. 79519,	NOTICE OF DISCIPLINARY CHARGES	
15	A Member of the State Bar	) )	
16		,	
17		JRE TO RESPOND!	
18 19	IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL:		
20	(1) YOUR DEFAULT WILL BE EN	TERED;	
21	WILL NOT BE PERMITTED T	HANGED TO INACTIVE AND YOU O PRACTICE LAW;	
22	THESE PROCEEDINGS UNLE	TED TO PARTICIPATE FURTHER IN SS YOU MAKE A TIMELY MOTION	
23	AND THE DEFAULT IS SET ASIDE, AND;  (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN ORDER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.		
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26	RULES OF PROCEDURE OF 1	HE STATE DAK OF CALIFORNIA.	
27	The State Bar of California alleges:	kwiktag * 018 037 438	
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**JURISDICTION** 

1. MANUEL ORTEGA ("Respondent") was admitted to the practice of law in the State of California on May 11, 1978, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

## COUNT ONE

Case No. 11-N-18892
Failure to Obey Rule 9.20, California Rules of Court

- 2. Respondent willfully violated rule 9.20, California Rules of Court by willfully disobeying or violating an order of the court as follows:
- 3. On or about July 8, 2011, the California Supreme Court issued an order in case number S192654 (hereinafter "9.20 Order"). The 9.20 Order included a requirement that Respondent comply with Rule 9.20, California Rules of Court, by performing the acts specified in subdivisions (a) and (c) within 30 and 40 days, respectively, after the effective date of the 9.20 Order. (A true and correct copy of the 9.20 Order is attached hereto as Exhibit 1 and is incorporated by reference.)
- 4. On or about July 8, 2011, the Clerk of the Supreme Court of the State of California properly served upon Respondent a copy of the 9.20 Order. Respondent received the 9.20 Order.
- 5. The 9.20 Order became effective on August 7, 2011, thirty days after the 9.20 Order was filed. Thus Respondent was ordered to comply with subdivision (a) and/or (b) of rule 9.20 of the California Rules of Court no later than on or about September 6, 2011, and was ordered to comply with subdivision (c) of Rule 9.20 no later than on or about September 16, 2011.
- 6. On or about September 26, 2011, Respondent filed an untimely and deficient declaration of compliance with Rule 9.20. Specifically, the declaration checked off every box on the form, even when those boxes contained contradictory statements (or options). Respondent was given notice by the probation department that his declaration was rejected and Respondent was asked to submit a proper declaration form. Respondent never submitted another declaration. Accordingly, Respondent has failed to file with the clerk of the State Bar Court a timely and

proper declaration of compliance with Rule 9.20 (a) and (b), California Rules of Court, as 1 2 required by Rule 9.20(c). 7. By not filing a declaration of compliance with Rule 9.20 in conformity with the 3 requirements of Rule 9.20(c), Respondent failed to timely comply with the provisions of the 9.20 4 Order in case number S192654 requiring compliance with Rule 9.20, California Rules of Court. 5 By the foregoing conduct, Respondent willfully violated rule 9.20, California Rules of Court. 6 **NOTICE - INACTIVE ENROLLMENT!** 7 YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR 8 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL 9 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN 10 YOUR INACTIVE INACTIVE MEMBER OF THE STATE BAR. ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE 11 RECOMMENDED BY THE COURT. 12 **NOTICE - COST ASSESSMENT!** 13 THESE PROCEDURES RESULT IN THE EVENT DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS 14 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND 15 PROFESSIONS CODE SECTION 6086.10. 16 Respectfully submitted, 17 THE STATE BAR OF CALIFORNIA 18 OFFICE OF THE CHIEF TRIAL COUNSEL 19 20 DATED: March 9, 2012 21 Deputy Trial Counsel 22 23 24 25 26

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## DECLARATION OF SERVICE

 $\label{eq:by} \textbf{U.S. FIRST-CLASS MAIL}/\textbf{U.S. CERTIFIED MAIL}/\textbf{OVERNIGHT DELIVERY}/\textbf{FACSIMILE-ELECTRONIC TRANSMISSION}$ 

CASE NUMBER(s): 11-N-18892

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, 1149 South Hill Street, Los Angeles, California 90015, declare that:					
- on the date shown below, I caused to be served a true copy of the within document described as follows:					
NOTICE OF DISCIPLINARY CHARGES					
By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))  - in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.  By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))  - I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').  By Fax Transmission: (CCP §§ 1013(e) and 1013(f))  Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.  By Electronic Service: (CCP § 1010.6)  Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s_ at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.					
Article No.:		geles, addressed to: (see belo			
(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS,  Tracking No.: addressed to: (see below)					
Person Served	Business-Residential Address	Fax Number	Courtesy Copy to:		
Manuel Ortega	LAW OFFICES OF MANUEL ORTEGA 2638 WEST BEVERLY BLVD. MONTEBELLO, CA 90640	Electronic Address	James Kellner, Esq. 350 Crenshaw Blvd., # A207/A Torrance, CA 90503-1726		
via inter-office mail regularly	processed and maintained by the State Bar of Californ N/A	ia addressed to:			
overnight delivery by the United Par California would be deposited with t day.  I am aware that on motion after date of deposit for mailing cont	ne State Bar of California's practice for collection and processicel Service ('UPS'). In the ordinary course of the State Bar of the United States Postal Service that same day, and for overning the party served, service is presumed invalid if postal cancained in the affidavit.  of perjury, under the laws of the State of California, that	Čalifornia's practice, correspond ght delivery, deposited with deliv ellation date or postage meter da	ence collected and processed by the State Bar of ery fees paid or provided for, with UPS that same te on the envelope or package is more than one day		
California, on the date shown be	OW.				
DATED: March 9, 201		LAURA-VARGAS Declarant			