

FILED

MAY - 5 2011

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

1 STATE BAR OF CALIFORNIA
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STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of:) Case No. 11-O-11508
13 DANIEL DUCHANIN,)
14 No. 189983,) NOTICE OF DISCIPLINARY CHARGES
15 A Member of the State Bar.)

NOTICE - FAILURE TO RESPOND!

17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE
18 WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT
19 THE STATE BAR COURT TRIAL:

- 20 (1) YOUR DEFAULT WILL BE ENTERED;
- 21 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
22 WILL NOT BE PERMITTED TO PRACTICE LAW;
- 23 (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN
24 THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION
25 AND THE DEFAULT IS SET ASIDE, AND;
- 26 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
27 SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE
28 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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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Daniel Duchanin ("Respondent") was admitted to the practice of law in the State of
4 California on October 29, 1997, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 11-O-11508
8 Business and Professions Code, section 6068(k)
[Failure to Comply with Conditions of Probation]

9 2. Respondent willfully violated Business and Professions Code, section 6068(k), by
10 failing to comply with all conditions attached to any disciplinary probation, as follows:

11 3. On or about March 11, 2010, the California Supreme Court filed Order No. S179480
12 ("Disciplinary Order") regarding discipline of Respondent. On or about March 11, 2010, the
13 Clerk of the Supreme Court of the State of California properly served a copy of the Disciplinary
14 Order by mail on Respondent. Respondent received the Disciplinary Order.

15 4. On or about April 10, 2010, the Disciplinary Order became effective, thirty days after
16 the Disciplinary Order was filed.

17 5. The Disciplinary Order placed Respondent on a two-year probation subject to certain
18 conditions of probation. On or about April 26, 2010, a probation deputy of the Office of
19 Probation mailed a letter to Respondent at his member records address reminding him of the
20 conditions of probation. Respondent received the letter from the probation deputy.

21 6. On or about July 30, 2010, a probation deputy of the Office of Probation mailed a
22 letter to Respondent at his member records address again reminding him of the conditions of
23 probation and advising him that the Office of Probation had not received his first quarterly
24 report. Respondent received the July 30, 2010 letter from the probation deputy.

25 7. As a condition of probation, Respondent was required to submit written quarterly
26 reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the
27 period of probation, stating under penalty of perjury his compliance with the State Bar Act, the
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1 Rules of Professional Conduct, and all conditions of probation during the preceding calendar
2 quarter.

3 8. Respondent did not submit to the Office of Probation a written quarterly report due by
4 July 10, 2010, until September 7, 2010.

5 9. Respondent did not submit to the Office of Probation a written quarterly report due by
6 January 10, 2011.

7 10. Respondent did not submit to the Office of Probation a written quarterly report due by
8 October 10, 2010, until April 27, 2011. In addition, Respondent did not submit to the Office of
9 Probation a written quarterly report due by April 10, 2011, until April 27, 2011.

10 11. As a condition of probation, Respondent was required to provide to the Office of
11 Probation satisfactory proof of attendance at a session of Ethics School, and passage of the test
12 given at the end of that session, within one (1) year of the effective date of the Discipline Order.
13 Respondent did not provide the Office of Probation satisfactory proof of attendance at a session
14 of Ethics School, and passage of the test given at the end of that session, by April 10, 2011.

15 12. By the foregoing, Respondent failed to comply with all conditions attached to any
16 disciplinary probation.

17 **NOTICE - INACTIVE ENROLLMENT!**

18 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
19 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
20 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
21 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
22 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
23 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**
24 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**
25 **RECOMMENDED BY THE COURT.**

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Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

By: Katherine Kinsey
Katherine Kinsey
Deputy Trial Counsel

1 **DECLARATION OF SERVICE BY CERTIFIED MAIL**

2 **CASE NUMBER: 11-0-11508**

3 I, the undersigned, over the age of eighteen (18) years, whose business address and place
4 of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California
5 90015, declare that I am not a party to the within action; that I am readily familiar with the State
6 Bar of California's practice for collection and processing of correspondence for mailing with the
7 United States Postal Service; that in the ordinary course of the State Bar of California's practice,
8 correspondence collected and processed by the State Bar of California would be deposited with
9 the United States Postal Service that same day; that I am aware that on motion of party served,
10 service is presumed invalid if postal cancellation date or postage meter date on the envelope or
11 package is more than one day after date of deposit for mailing contained in the affidavit; and that
12 in accordance with the practice of the State Bar of California for collection and processing of
13 mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on
14 the date shown below, a true copy of the within

15 **NOTICE OF DISCIPLINARY CHARGES**

16 in a sealed envelope placed for collection and mailing as certified mail, return receipt requested,
17 Article No.: 7160 3901 9848 5951 5667, at Los Angeles, on the date shown below, addressed to:

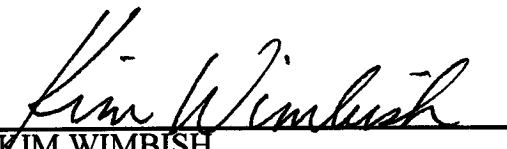
18 **Daniel Duchanin**
19 **505 SW 93rd St Apt 102**
20 **Oklahoma City, OK 73139**

21 in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

22 **N/A**

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

25 **DATED: May 5, 2011**

26 Signed: 

27 **KIM WIMBISH**

28 /Declarant