

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL
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FILED

JUN 24 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE) Case No. 12-C-10820
CONVICTION OF:)
) Transmittal of Records of Conviction of Attorney (Bus. & Prof.
MARCIA JANA E MACHADO,) Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.)
No. 231144,)
) Felony;
) Crime(s) involved moral turpitude;
A Member of the State Bar.) Probable cause to believe the crime(s) involved moral
) turpitude;
) Crime(s) which may or may not involve moral turpitude or
) other misconduct warranting discipline;
) Transmittal of Notice of Finality of Conviction.

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

- A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the State Bar and for such consideration and action as the Court deems appropriate:
- B. Notice of Appeal
- C. Evidence of Finality of Conviction (Notice of Lack of Appeal)
- D. Other

Name of Member: Marcia Janae Machado

Date member admitted to practice law in California: June 2, 2004

Member's Address of Record: Marcia Janae Machado

PO Box 63

Fresno, CA 93707

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named member of the State Bar was convicted as follows:

Date of entry of conviction: January 21, 2016

Convicting court: San Joaquin Superior Court

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Case number(s): STK-CR-FE-20012-0006703

Crime(s) of which convicted and classification(s): Penal Code section 550(b)(1) (Assist or Conspire in Insurance Fraud), one count, a Felony that involves moral turpitude per se. (See *In re Schofield* (1973) 10 Cal.3d 383 [moral turpitude for violation of Insurance Code section 556 for presenting or causing the presentation of false or fraudulent insurance claim]; *In re Hallinan* (1954) 43 Cal.2d 243, 247 [a crime in which an intent to defraud is an essential element is a crime involving moral turpitude]; *Sampson v. State Bar* (1974) 12 Cal.3d 70 [an attorney's knowing submission of false claims to an insurance company involves an act of dishonesty and moral turpitude within the meaning of Business and Professions Code section 6106]; *In re Schwartz* (1982) 31 Cal.3d 395, 400 [fraud is a principal element of moral turpitude]. Further, conspiracy involves moral turpitude if the target crime involves moral turpitude. (*In re McAllister* (1939) 14 Cal. 2d 602, 603.)

3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.

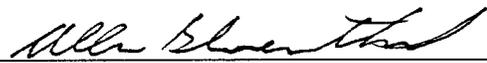
4. Other information to assist the State Bar Court

DOCUMENTS TRANSMITTED:

Information filed 8/7/13
Minute Order dated 1/21/16
Minute Order-Probation dated 1/26/16
Minute Order-Probation 1/21/16

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: June 23, 2016

BY: 
Allen Blumenthal
Senior Trial Counsel

A copy of this transmittal and its
Attachments have been sent to:

Marcia Janae Machado
PO Box 63
Fresno, CA 93707

Roger T. Nuttall
2333 Merced Street
Fresno, CA 93721

DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 12-C-10820

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that I am not a party to the within action; that 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; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of 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; and that 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 San Francisco, on the date shown below, a true copy of the within

TRANSMITTAL OF RECORDS OF CONVICTION OF ATTORNEY

Including:

- Information filed 8/7/13**
- Minute Order dated 1/21/16**
- Minute Order-Probation dated 1/26/16**
- Minute Order-Probation 1/21/16**

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2042 4859 32, at San Francisco, on the date shown below, addressed to:

Marcia Janae Machado
PO Box 63
Fresno, CA 93707

Roger Taylor Nuttall
Nuttall & Coleman
2333 Merced St
Fresno, CA 93721
Courtesy Copy

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

N/A

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: June 24, 2016

Signed: 

Ina M. Strehle
Declarant