

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
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FILED

APR 18 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE)
CONVICTION OF:) Case No. 12-C-10954
)
) Transmittal of Records of Conviction of Attorney (Bus. & Prof.
HARRIS DAY HIMES,) Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.)
No. 86074)
) [X] Felony;
) [X] 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.

- [X] 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 the 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

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Name of Member: Harris Day Himes

Date member admitted to practice law in California: May 31, 1979

Member's Address of Record: P. O. Box 540

Hamilton, MT 59840

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: September 20, 2013

Convicting court: Montana Twenty-First Judicial District Court, Ravalli County

Case number(s): DC-11-117

Crime(s) of which convicted and classification(s): Violation of Montana Code Annotated Section 30-10-201(1) (Failure to Register as a Salesperson), one count, a felony, which is analogous to California Corporations Code Section 25210, a misdemeanor which may or may not involve moral turpitude; Montana Code Annotated Section 30-10-202(1) (Failure to Register a Security), one count, a felony, which is analogous to California Corporations Code Section 25110, a misdemeanor which may or may not involve moral turpitude, similar to the crime in *In re Hatch* (1937) 10 Cal. 2d 147 in which Respondent was convicted of violating a Corporate Securities Act requiring that a permit be obtained from the commissioner of corporations before issuing and selling securities; Montana Code Annotated Section 30-10-301(1)(b) (Fraudulent Practices), one count, a felony analogous to California Corporations Code Section 25401(b), a felony which involves moral turpitude based upon the elements of the crime.

[X] 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.

[X] 4. Other information to assist the State Bar Court

Count seven of the Amended Information was dismissed prior to trial and the jury found Respondent not guilty of the remaining three counts. Upon receipt of finality of this conviction, the State Bar will be filing a request for summary disbarment.

DOCUMENTS TRANSMITTED:

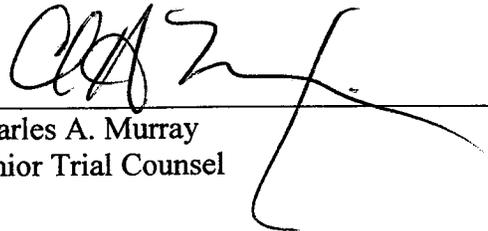
Amended Information
Verdict

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED:

4/15/2014

BY:


Charles A. Murray
Senior Trial Counsel

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

Harris Day Himes
P. O. Box 540
Hamilton, MT 59840

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 12-C-10954

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, 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 Los Angeles, on the date shown below, a true copy of the within

TRANSMITTAL OF RECORDS OF CONVICTION OF ATTORNEY; Amended Information; Verdict

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 6409 8188, at Los Angeles, on the date shown below, addressed to:

**Harris Day Himes
P.O. Box 540
Hamilton, MT 59840**

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 Los Angeles, California, on the date shown below.

DATED: April 18, 2014

Signed: 
Lupe Pacheco
Declarant