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MAY 05 2014

**STATE BAR COURT
CLERK'S OFFICE
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THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
CHARLES A. MURRAY
845 South Figueroa Street
Los Angeles, California 90017-2515
Telephone: (213) 765-1000

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE CONVICTION OF: PETER DAVID NITSCHKE, No. 174123, A Member of the State Bar.) Case No. 12-C-16205) Transmittal of Records of Conviction of Attorney (Bus. & Prof.) Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.))) <input checked="" type="checkbox"/> Felony;) <input checked="" type="checkbox"/> Crime(s) involved moral turpitude;) <input type="checkbox"/> Probable cause to believe the crime(s) involved moral) turpitude;) <input type="checkbox"/> Crime(s) which may or may not involve moral turpitude or) other misconduct warranting discipline;) <input type="checkbox"/> Transmittal of Notice of Finality of Conviction.
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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 the Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the 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: PETER DAVID NITSCHKE

Date member admitted to practice law in California: December 13, 1994

Member's Address of Record: Nitschke Law Group
260 Newport Center Drive., Ste. #100
Newport Beach, CA 92660

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: February 3, 2014

Convicting court: Superior Court, County of Orange County

Case number(s): 12HF2546

Crime(s) of which convicted and classification(s): Violation of Penal Code §368(d) (1) (Theft from Elder – over \$950), 2 counts, a felony involving moral turpitude (See, *In re Ford* (1988) 44 Cal.3d 810; *In re Lyons* (1975) 15 Cal.3d 322) ; Penal Code §487a) (Grand Theft – over \$950), 6 counts, a felony involving moral turpitude as in *In re Cadwell* (1975) 15 Cal.3d 762; and Penal Code §476a (a) (Non-Sufficient Fund Check), a felony involving moral turpitude as in *Stanley v. State Bar* (1990) 50 Cal.3d 555.

[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

Upon finality of the conviction, the State Bar will seek a request for summary disbarment.

DOCUMENTS TRANSMITTED:

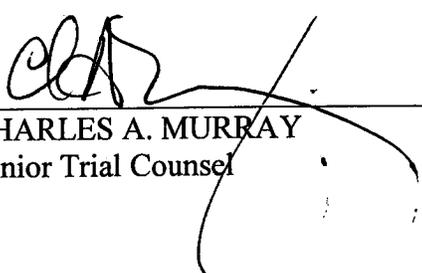
Certified First Amended Information
Certified Plea
Certified Minutes

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED:

5/2/2014

BY:



CHARLES A. MURRAY
Senior Trial Counsel

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 12-C-16205

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; Certified First Amended Information; Certified Plea; Certified Minutes

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 6409 8997, at Los Angeles, on the date shown below, addressed to:

**Peter David Nitschke Nitschke Law Group
260 Newport Center Drive #100
Newport Beach, CA 92660**

Courtesy copy via regular mail to:

Stacy Kelly
**Orange County Public Defender
14 Civic Center Plz
Santa Ana, CA 92701**

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: May 5, 2014

Signed: 

Lupe Pacheco
Declarant