

**PUBLIC MATTER
FILED**

APR 25 2012

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

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10 STATE BAR COURT
11 HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of:) Case No. 12-H-10877
13 DALE ELIAH KANTER,)
14 No. 107130,) NOTICE OF DISCIPLINARY CHARGES
15)
16 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
WILL NOT BE PERMITTED TO PRACTICE LAW;
22 (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN
THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION
AND THE DEFAULT IS SET ASIDE, AND;
23 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE
24 OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
25 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

1 The State Bar of California alleges:

2 JURISDICTION

3 1. Dale Eliah Kanter ("Respondent") was admitted to the practice of law in the State of
4 California on December 8, 1982, 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. 12-H-10877
8 Rules of Professional Conduct, Rule 1-110
[Failure to Comply with Repeval Conditions]

9 2. Respondent willfully violated Rules of Professional Conduct, rule 1-110, by failing to
10 comply with conditions attached to public or private repevals or other discipline administered
11 by the State Bar, as follows:

12 3. On or about November 4, 2011, the Hearing Department of the State Bar Court of
13 California filed an order in case number 07-C-14248 imposing on Respondent a public repeval
14 ("Repeval Order"). On or about November 4, 2011, a case administrator of the State Bar Court
15 properly served a copy of the Repeval Order by mail on Respondent at his membership records
16 address. Respondent received the Repeval Order.

17 4. On or about November 25, 2011, the Repeval Order became effective, 21 days after
18 service.

19 5. The Repeval Order imposed certain conditions attached to the repeval. On or about
20 November 9, 2011, a probation deputy of the Office of Probation mailed a letter to Respondent at
21 his membership records address reminding him of the conditions attached to the repeval.
22 Respondent received the letter.

23 6. As a condition of the repeval, Respondent was required to contact the Office of
24 Probation within thirty (30) days of the effective date of the Repeval Order to schedule a
25 meeting with his assigned probation deputy to discuss the terms and conditions of the repeval.
26 Respondent did not contact the Office of Probation by the due date of December 25, 2011.

27 7. As a condition of the repeval, Respondent was required to submit written quarterly
28 reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the

1 period of reprobation, stating under penalty of perjury his compliance with the State Bar Act, the
2 Rules of Professional Conduct, and all conditions of reprobation during the preceding calendar
3 quarter.

4 8. To date, Respondent has not submitted to the Office of Probation the written quarterly
5 reports due by January 10, 2012 and April 10, 2012.

6 9. By not contacting his probation deputy within 30 days of the effective date of the
7 Reprobation Order and by not filing timely quarterly reports as required pursuant to the Reprobation
8 Order, Respondent failed to comply with conditions attached to public or private reprovals or
9 other discipline administered by the State Bar.

10 **NOTICE - INACTIVE ENROLLMENT!**

11 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
12 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
13 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
14 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
15 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
16 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
17 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
18 RECOMMENDED BY THE COURT.**

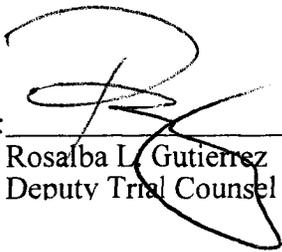
16 **NOTICE - COST ASSESSMENT!**

17 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
18 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
19 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING
20 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
21 PROFESSIONS CODE SECTION 6086.10.**

22 Respectfully submitted,

23 THE STATE BAR OF CALIFORNIA
24 OFFICE OF THE CHIEF TRIAL COUNSEL

25 DATED: 4/25/12

26 By: 
27 Rosalba L. Gutierrez
28 Deputy Trial Counsel

DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 12-H-10877

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California 90015, 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

NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 0443 5004, at Los Angeles, on the date shown below, addressed to:

**Dale Eliah Kanter
10165 McBroom
Sunland, CA 91040**

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 25, 2012

Signed: _____

**Max Carranza
Declarant**