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STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES



**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES**

In the Matter of)	Case No.: 12-J-14178-RAP
)	
MICHAEL ANTONIO JOSEPH,)	ORDER VACATING ORDER ENTERING
)	DEFAULT AND ORDER ENROLLING
Member No. 76924,)	INACTIVE; ORDER GRANTING STATE
)	BAR'S REQUEST TO WITHDRAW
<u>A Member of the State Bar.</u>)	DISBARMENT PETITION

On July 31, 2013, the court filed an order vacating the submission date of this matter and ordering the State Bar of California, Office of the Chief Trial Counsel (State Bar) to show cause, in writing, as to why respondent's default should not be vacated and/or the petition for disbarment denied, based on the propriety of the service of certain documents filed in this matter.

On August 2, 2012, the State Bar filed its response to the order to show cause. In its response, the State Bar requested that the court withdraw the State Bar's disbarment petition and vacate the default entered against respondent. The State Bar also acknowledged that it would re-serve the NDC on respondent by certified mail.

The NDC filed in the above-entitled matter on July 13, 2012, was not properly served on respondent pursuant to rule 5.25 of the Rules of Procedure of the State Bar¹, which requires that an initial pleading be served on a member at the member's State Bar membership records address and, if it is in the United States, it must be served by certified mail, return receipt

¹ Unless otherwise indicated, all further references to rules are to this source.

requested. Accordingly, the court's September 13, 2012, order entering respondent's default and enrolling him inactive under Business and Professions Code section 6007, subdivision (e), is hereby vacated, nunc pro tunc, to September 13, 2012.

Similarly, the State Bar's Petition for Disbarment filed on March 29, 2013, was not served on respondent by certified mail, return receipt requested, as required by rule 5.85(C). Accordingly, the court grants the State Bar's request to withdraw its Petition for Disbarment.

IT IS SO ORDERED.

Dated: August 7, 2013



RICHARD A. PLATEL
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on August 8, 2013, I deposited a true copy of the following document(s):

ORDER VACATING ORDER ENTERING DEFAULT AND ORDER ENROLLING INACTIVE; ORDER GRANTING STATE BAR'S REQUEST TO WITHDRAW DISBARMENT PETITION

in a sealed envelope for collection and mailing on that date as follows:

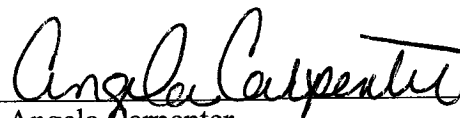
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

MICHAEL ANTONIO JOSEPH
6A COMPANY ST
CHRISTIANSTED, VI 00820

- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

LARA BAIRAMIAN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 8, 2013.



Angela Carpenter
Case Administrator
State Bar Court