

## JUN 0 5 2014

#### STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO

### **STATE BAR COURT OF CALIFORNIA**

### **HEARING DEPARTMENT – SAN FRANCISCO**

In the Matter of ANTHONY HARRIS, Member No. 220714,

A Member of the State Bar.

Case Nos.: 12-O-11147-PEM (13-O-11350)

ORDER (1) RE MOTIONS FOR RECONSIDERATION; AND (2) VACATING AND AMENDING DECISION

# TO ALL PARTIES AND COUNSEL IN THE ABOVE ENTITLED MATTER:

On April 30, 2014, Deputy Trial Counsel Catherine Taylor of the Office of the Chief Trial Counsel of the State Bar of California (State Bar) asked the court to reconsider its April 15, 2014 decision (Rules Proc. of State Bar, rule 5.115) in that (2) the recommendation for restitution to Warren Hill be deleted since respondent had already paid him; and (3) a restitution payment to William E. Smith be recommended instead.

On May 2, 2014, respondent also filed a motion for reconsideration, asking that, among other things, to delete the recommended restitution payment to Mr. Hill and to modify the recommended level of discipline from disbarment to three years' actual suspension.

After carefully considering all issues set forth in the parties' motions, the court has determined to grant, in part, and deny, in part, the motions for reconsideration, as follows:



- No good cause or error of fact and/or law having been shown, the State Bar's motion for reconsideration seeking to require respondent's restitution payment to William E. Smith is hereby **DENIED**.
- No good cause or error of fact and/or law having been shown, respondent's motion for reconsideration seeking to modify the recommended level of discipline is hereby **DENIED**.
- 3. However, good cause or error of facts having been shown, the parties' request to delete the restitution requirement to Warren Hill is **GRANTED**.

ACCORDINGLY, the court orders that the decision filed April 15, 2014, is vacated and an amended decision is hereby filed in its place.

### **IT IS SO ORDERED.**

Dated: June <u>5</u>, 2014

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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 San Francisco, On June 5, 2014, I deposited a true copy of the following document(s):

# ORDER (1) RE MOTIONS FOR RECONSIDERATION; AND (2) VACATING AND AMENDING DECISION

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 San Francisco, California, addressed as follows:

ANTHONY HARRIS 1230 MARKET ST # 244 SAN FRANCISCO, CA 94102

 $\boxtimes$ 

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

Catherine E. Taylor, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on June 5, 2014.

Bane auretta Cramer

Case Administrator State Bar Court