

FILED

MAY 15 2014

STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

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9 STATE BAR COURT

10 HEARING DEPARTMENT - SAN FRANCISCO

11
12 In the Matter of:) Case Nos. 13-H-15090 & 14-O-01323
13 TIMOTHY BROOKS BALCOM,) NOTICE OF DISCIPLINARY CHARGES
No. 190496,)
14)
15 A Member of the State Bar)

16 **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.

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Timothy Brooks Balcom ("Respondent") was admitted to the practice of law in the
4 State of California on November 24, 1997, was a member at all times pertinent to these charges,
5 and is currently a member of the State Bar of California.

6
7 COUNT 1

8 Case No. 13-H-15090
9 Rules of Professional Conduct, Rule 1-110
[Fail to Comply with Repeval Conditions]

10 2. Respondent failed to comply with conditions attached to the private reprovral
11 administered to Respondent by the State Bar in case no. 11-C-16266 as follows, in willful
12 violation of Rules of Professional Conduct, rule 1-110:

- 13 A. Failing to submit five quarterly reports by their due dates of January 10, April
14 10, July 10, and October 10, 2013, and January 10, 2014;
- 15 B. Failing to report compliance with Respondent's underlying criminal matter by
16 their due dates of January 10, April 10, July 10, and October 10, 2013, and
17 January 10, 2014; and
- 18 C. Failing to submit proof of attendance at AA meetings by their due dates of
19 November 10 and December 10, 2012; January 10, February 10, March 10,
20 April 10, May 10, June 10, July 10, August 10, September 10, October 10,
21 November 10, and December 10, 2013; and January 10, February 10 and
22 March 10, 2014.

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COUNT 2

Case No. 14-O-01323
Business and Professions Code, section 6068(k)
[Failure to Comply with Conditions of Probation]

3. Respondent failed to comply with conditions attached to Respondent's disciplinary probation in State Bar Case no. 12-H-17184 as follows, in willful violation of Business and Professions Code, section 6068(k):

- A. Failing to submit four lab reports by their due dates of December 10, 2013, January 10, February 10 and March 10, 2014.
- B. Failing to contact Office of Probation and schedule a meeting by December 28, 2013.
- C. Failing to submit a medical waiver by December 28, 2013.
- D. Failing to submit a Quarterly Report by the due date of January 10, 2014.
- E. Failing to submit quarterly proof of attendance at least one time per month at self-help meetings by January 10, 2014.

NOTICE - INACTIVE ENROLLMENT!

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

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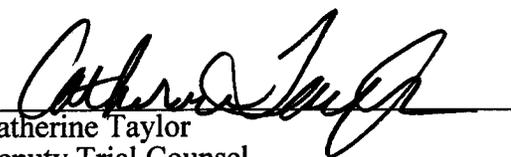
NOTICE - COST ASSESSMENT!

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

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: May 15, 2014

By: 
Catherine Taylor
Deputy Trial Counsel

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DECLARATION OF SERVICE
BY CERTIFIED AND REGULAR MAIL

CASE NOS.: 13-H-15090 & 14-O-01323

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, 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 San Francisco, 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*, and in an additional sealed envelope as *regular mail*, at San Francisco, on the date shown below, addressed to:

Article No.: 7196 9008 9111 2123 7131

Timothy B. Balcom
Balcom & Associates
229 Vernon Street
Roseville, CA 95678

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 San Francisco, California, on the date shown below.

DATED: May 15, 2014

Signed: _____

Paula H. D'Oyen
Declarant