

PUBLIC MATTER

FILED

APR 21 2016

STATE BAR COURT OF CALIFORNIA

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

HEARING DEPARTMENT – SAN FRANCISCO

In the Matter of)	Case Nos. 13-O-10692-PEM (13-O-11454)
)	(S226413)
DALE IRVING GUSTIN,)	
)	ORDER (1) GRANTING, IN PART,
Member No. 76642,)	RESPONDENT'S SECOND AMENDED
)	MOTION TO WAIVE COSTS; AND (2)
A Member of the State Bar.)	GRANTING STATE BAR'S MOTION TO
)	STRIKE

On April 6, 2016, respondent Dale Irving Gustin filed a second amended motion to waive costs on the ground of financial hardship. (Supreme Court case No. S226413.)

On April 12, 2016, Senior Trial Counsel Charles A. Murray of the Office of the Chief Trial Counsel of the State Bar of California (State Bar) opposed the request. The State Bar also filed a motion to strike certain portions of respondent's motion based on irrelevancy.

Contrary to his two previous motions, respondent's instant motion was accompanied by a completed financial declaration and signed under penalty of perjury.

Accordingly, **GOOD CAUSE HAVING BEEN SHOWN**, the court rules as follows:

1. State Bar's motion to strike paragraphs 2, 3 and 4 of respondent's second amended motion is **GRANTED** for lack of relevancy.
2. Respondent's second amended motion to waive costs is **GRANTED, IN PART**, in that his costs are reduced by \$2,000 and that respondent's time during which to pay the disciplinary costs in S226413 be extended and that one-third of the costs



must be paid with his membership fees for each of the years 2017, 2018 and 2019.

If Dale Irving Gustin fails to pay any installment as described above, or as may be


modified by the State Bar Court, the remaining balance is due and payable

immediately. The payment of costs remains enforceable both as provided in

Business and Professions Code section 6140.7 and as a money judgment.

IT IS SO ORDERED.

Dated: April 21, 2016


PAT McELROY
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 April 21, 2016, I deposited a true copy of the following document(s):

ORDER (1) GRANTING, IN PART, RESPONDENT'S SECOND AMENDED MOTION TO WAIVE COSTS; AND (2) GRANTING STATE BAR'S MOTION TO STRIKE

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:

DALE IRVING GUSTIN
945 SPRING ST STE 9
PO BOX 764
PASO ROBLES, CA 93447

☐ by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

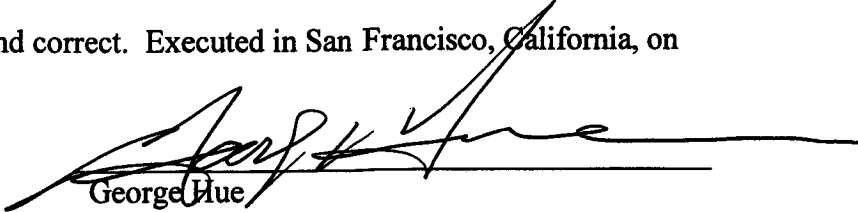
☐ by overnight mail at , California, addressed as follows:

☐ By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

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

Charles A. Murray, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on April 21, 2016.


George Hue
Case Administrator
State Bar Court