

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL  
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FILED

NOV 26 2013

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

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11 In the Matter of: ) Case Nos. 13-O-12927  
12 )  
13 MYAVA R. ESCAMILLA, ) NOTICE OF DISCIPLINARY CHARGES  
No. 268834, )  
14 )  
15 A Member of the State Bar. )

**NOTICE - FAILURE TO RESPOND!**

16 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE  
17 WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT  
THE STATE BAR COURT TRIAL:

- 18 (1) YOUR DEFAULT WILL BE ENTERED;  
19 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU  
WILL NOT BE PERMITTED TO PRACTICE LAW;  
20 (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN  
THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION  
21 AND THE DEFAULT IS SET ASIDE, AND;  
22 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.  
SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE  
23 OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN  
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT  
24 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. Myava R. Escamilla ("Respondent") was admitted to the practice of law in the  
4 State of California on January 19, 2010, was a member at all times pertinent to these charges,  
5 and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 13-O-12927  
8 Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

9 2. In or about August 2012, Toya Latimore employed Respondent to perform legal  
10 services, namely to prepare and file a Chapter 7 bankruptcy petition as well as all supporting  
11 schedules and documentation, which Respondent intentionally, recklessly, or repeatedly failed to  
12 perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A),  
13 by the following:

- 14 A. Failing to prepare the necessary and appropriate statements and schedules in  
15 support of Latimore's Chapter 7 bankruptcy petition.  
16 B. Failing to file the necessary and appropriate statements and schedules in support  
17 of Latimore's Chapter 7 bankruptcy petition.

18 COUNT TWO

19 Case No. 13-O-12927  
20 Business and Professions Code, section 6068(m)  
[Failure to Respond to Client Inquiries]

21 3. Respondent failed to respond promptly to multiple telephonic and written  
22 reasonable status inquiries made by Respondent's client, Toya Latimore, between November  
23 2012 and May 2013, that Respondent received in a matter in which Respondent had agreed to  
24 provide legal services, in willful violation of Business and Professions Code, section 6068(m).

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COUNT THREE

Case No. 13-O-12927  
Business and Professions Code, section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

4. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters of June 4, 2013 and June 27, 2013, which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 13-O-12927 in willful violation of Business and Professions Code, section 6068(i).

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.**

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: November 26, 2013

By:   
\_\_\_\_\_  
William Todd

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 13-O-12927

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California 90015, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISSCIPLINARY CHARGES

- By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

- (for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)
(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 6410 5657 at Los Angeles, addressed to: (see below)
(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to. Row 1: Myava R. Escamilla, 171 S. Anita Drive, Suite 104 Orange, CA 92868, Electronic Address.

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

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, and overnight delivery by the United Parcel Service (UPS).

I am aware that on motion of the 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.

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: November 26, 2013

SIGNED: Carmen Corona
Carmen Corona
Declarant