PUBLIC MATTER – NOT DESIGNATED FOR PUBLICATION

STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

In the Matter of	)	Case No. 13-O-14902
	)	
JOHNNIE LEE TAYLOR,	)	OPINION AND ORDER
	)	
A Member of the State Bar, No. 117532.	)	
	)	

Johnnie Lee Taylor faces discipline for the fifth time since his 1985 admission to the State Bar of California. A hearing judge found Taylor culpable of 13 violations of probation conditions imposed in his third discipline matter, including those intended to rehabilitate him from the alcohol addiction he claims caused his current violations. But the judge declined to recommend disbarment, which is the presumptive discipline under standard[1] 1.8(b) in light of Taylor's prior discipline records. Instead, she recommended a 60-day actual suspension based on her findings that: (1) Taylor's first two discipline records were remote in time; (2) drinking surrounded his prior misconduct, and no longer poses a threat; (3) he was not unwilling to comply with his ethical standards; and (4) the violations are substantially mitigated by his good character, his recovery from alcohol abuse, and the death of his brother.

The Office of the Chief Trial Counsel of the State Bar (OCTC) appeals. It supports the hearing judge's culpability findings, but seeks Taylor's disbarment. Taylor does not request review; he concedes culpability and supports the recommended discipline.

[1] Rules of Procedure of the State Bar, title IV, Standards for Attorney Sanctions for Professional Misconduct. The standards were revised and renumbered effective July 1, 2015. Because this request for review was submitted for ruling after that date, we apply the revised version of the standards. All further references to standards are to this source.

We review the record independently (Cal. Rules of Court, rule 9.12), but afford great weight to the hearing judge's factual findings (Rules Proc. of State Bar, rule 5.155(A)). We adopt the judge's culpability findings, but with more aggravation and less mitigation. We also find Taylor's misconduct mitigated by good character and his stipulation to facts, but severely aggravated by prior discipline and multiple acts of wrongdoing.

We disagree with the hearing judge's departure from standard 1.8(b). Taylor's extensive past misconduct began less than four years after he was admitted to the Bar and has continued intermittently throughout his career. As a result, we lack sufficient assurance that a sanction less than disbarment will prevent future violations. We recommend that Taylor be disbarred.

I. TAYLOR HAS FOUR PRIOR RECORDS OF DISCIPLINE

Taylor has stipulated to facts, culpability, and discipline in four prior proceedings.

In July 1993, he was publicly reproved for two counts of failing to perform competently and one of failing to communicate significant developments (*Taylor I*). He neglected to file one client's personal injury complaint for 10 months from the time he accepted representation through the expiration of the applicable statute of limitations. Taylor similarly failed to file a personal injury complaint for a second client for roughly a year, again allowing the statute of limitations to expire. He also stopped working on a subrogation case filed against the client without informing the client. This resulted in a default judgment from which Taylor failed to seek relief.

Taylor was again publicly reproved in July 2002, this time for failing to obey a court order imposing sanctions and to timely report the sanctions to the State Bar (*Taylor II*).

Taylor's third disciplinary proceeding (*Taylor III*) stemmed from an August 2009 criminal conviction in the Superior Court of California for the County of Alameda. He was convicted of two felony counts: one for stalking his then-wife Catherine in violation of a

previously imposed restraining order (Pen. Code, § 646.9, subd (b)); and another for stalking Dale Starks, a man who lived with Catherine. (*Id.*, § 646.9, subd. (a).) Taylor was also convicted of a misdemeanor for driving under the influence of alcohol (DUI) (Veh. Code, § 23152). The superior court imposed a suspended sentence and a five-year probation term with conditions, including "stay away" orders, and required participation in "batterer's treatment" and "drinking driver" programs.

In his disciplinary proceeding, Taylor stipulated that the conduct underlying the convictions included numerous instances of harassment, death threats, and physical violence against Catherine and Starks—sometimes in the presence of Taylor's young son—for roughly a year and a half from September 2007 through March 2009.[2] He also stipulated that these acts involved moral turpitude and established his culpability for failing to: (1) support the laws of the United States and California; (2) maintain the respect due courts of justice and judicial officers; and (3) obey court orders. Effective December 10, 2010, the Supreme Court imposed discipline including a nine-month actual suspension, two years' stayed suspension, and three years' probation with conditions.[3]

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[2] For example, on at least 11 occasions, Taylor violated a protective order requiring him to have no contact with Catherine or their son. Taylor was verbally abusive and physically threatening toward Catherine on many occasions and harassed her with repeated phone calls. His behavior also included: attacking Starks with a piece of rebar; using his vehicle to pin Starks between the vehicle and a garage door, breaking Starks's tibia; threatening Starks's life on several occasions, once while brandishing a knife; lying to the police investigating his criminal conduct; and fleeing from police in his vehicle when they attempted to pull him over.

[3] On November 24, 2015, Taylor moved to augment the record in this case with: (1) his March 25, 2015 state court petition to dismiss the August 2009 convictions, under Penal Code section 1203.4 (providing for dismissal of certain convictions, at court's discretion and in interests of justice, where defendant has fulfilled criminal probation conditions); and (2) the state court's October 7, 2015 order granting Taylor's petition and dismissing his convictions. OCTC filed an opposition to the motion to augment. Finding good cause, the motion to augment the record is granted, and the record now includes these documents. (Rules Proc. of State Bar, rule 5.156(c).) We note that the dismissals do not impact the finality or validity of the *Taylor III* discipline imposed due to the convictions. (Bus. & Prof. Code, § 6102, subd. (c); *In the Matter of Posthuma* (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 813, 820, fn. 7.)

Taylor's disciplinary probation conditions required him to, inter alia:

(1) Submit to the State Bar's Office of Probation written quarterly reports each January 10, April 10, July 10, and October 10, certifying under penalty of perjury that he had complied with all provisions of the State Bar Act, the Rules of Professional Conduct, and all probationary conditions during the preceding calendar quarter, or part thereof, covered by the report;

(2) Comply with all provisions and conditions of a Participation Agreement/Plan (the LAP Plan) that Taylor entered into with the State Bar's Lawyer Assistance Program (LAP)[4] and provide evidence of his compliance with the LAP Plan with each of his quarterly reports; and

(3) Comply with all probation conditions imposed in the underlying criminal case and declare under penalty of perjury in each quarterly report that he had done so.

In his fourth disciplinary case, Taylor was found culpable of "intentionally, recklessly, and repeatedly" failing to competently perform legal services, resulting in client harm, and of failing to maintain the respect due the courts and judicial officers, based on his conduct from August 2006 through July 2009 in three client matters (*Taylor IV*).[5] In its May 5, 2011 order, the Supreme Court imposed discipline, including two years' stayed suspension, three years' probation, and a 90-day actual suspension, conditioned upon proof of rehabilitation.

II. TAYLOR VIOLATED PROBATION CONDITIONS ON 13 OCCASIONS

In this fifth proceeding, OCTC charged Taylor with failing to comply with all conditions attached to his probation imposed in *Taylor III*, in violation of Business and Professions Code,

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[4] The state legislature established the LAP to identify and rehabilitate attorneys who are impaired due to drug and/or alcohol abuse or mental illness. (Bus & Prof. Code, §§ 6230, 6231.)

[5] Taylor's conduct underlying these culpability findings included, inter alia: failing to appear at 10 noticed court hearings, and appearing very late at six others; failing to appear at a client's noticed deposition; failing to notice an opposing defendant's deposition or seek discovery of pertinent documents before expiration of the statutory discovery deadline; failing to timely respond to discovery requests; failing to comply with expert witness disclosure requirements, resulting in an adverse judgment for Taylor's client who could not establish causation without an expert; failing to file a clerk's record on appeal, resulting in affirmance of a judgment adverse to his client; unreasonably delaying service of a lawsuit on defendants; and failing to effect service of a lawsuit, resulting in dismissal of his client's complaint, which Taylor made no effort to reinstate for a year and, then, after having the default set aside and settling the lawsuit, failing to inform the court of the settlement, resulting in the court dismissing the suit again for failure to effect service.

section 6068, subdivision (k)[6] (requiring attorneys "[t]o comply with all conditions attached to any disciplinary probation"). Specifically, OCTC alleged that Taylor failed to timely submit four quarterly reports and violated his LAP Plan by missing drug tests and group therapy sessions without being excused.[7] Taylor stipulated to facts that clearly and convincingly support the hearing judge's culpability findings.[8]

He stipulated that he received service of the Supreme Court's order imposing the above-described probation conditions in *Taylor III* and that he participated in a January 2011 telephonic meeting with probation deputy Michael Kanterakis regarding the conditions. Kanterakis testified that he discussed each probation condition with Taylor and explained the quarterly report process during this call. Taylor also stipulated that the LAP Plan required him to:

(1) Attend at least one Alcoholics Anonymous (AA) meeting per day from February 2012 to December 2013;

(2) Attend one group therapy session each week; and

(3) Submit to random testing for alcohol consumption (Lab Tests).

He stipulated that he failed to attend seven of his scheduled Lab Tests (April 5, 2011, August 9, 2011, October 12, 2011, December 6, 2011, December 6, 2012, June 17, 2013, and December 3, 2013) and twice failed to attend weekly LAP group therapy sessions (May 11, 2011 and September 13, 2011). Additionally, he stipulated that he failed to timely file four quarterly

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[6] All further references to sections are to the Business and Professions Code unless otherwise noted.

[7] OCTC also alleged Taylor violated probation conditions requiring him to: (1) provide written proof that he had complied with his LAP Plan; and (2) timely submit proof, with his quarterly reports, that he had complied with his criminal probation conditions. The judge dismissed the first of these charges for lack of proof and the second as duplicative of Taylor's failure to timely file quarterly reports. OCTC does not challenge the dismissals, and we adopt them.

[8] Clear and convincing evidence leaves no substantial doubt and is sufficiently strong to command the unhesitating assent of every reasonable mind. (*Conservatorship of Wendland* (2001) 26 Cal.4th 519, 552.)

reports (in July 2011, October 2011, July 2013, and October 2013). Based on these untimely quarterly reports and failures to comply with his LAP Plan, Taylor is culpable of violating section 6068, subdivision (k).

III. AGGRAVATION OUTWEIGHS MITIGATION[9]

The hearing judge found Taylor's misconduct was aggravated by his prior discipline and multiple acts of wrongdoing, but mitigated by his good character, good faith efforts to comply with probation conditions, cooperation with the State Bar, and struggles with alcoholism. We agree with the aggravation findings, but emphasize that each warrants substantial weight. We accept the judge's finding of good character but assign only modest mitigation for cooperation with the State Bar. We do not find that Taylor acted in good faith or proved mitigation based on emotional or physical difficulties.

A. Substantial Aggravation for Prior Discipline (Std. 1.5(a))

Taylor's four prior discipline records[10] present serious aggravating circumstances and warrant substantial weight. (Std. 1.5(a).) The misconduct underlying each, as in this case, has involved multiple failures to adhere to deadlines and/or comply with court orders, evidencing a broad lack of respect for the administration of justice. (*In the Matter of Gadda* (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 416, 443-444 [similarities between prior and current misconduct

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[9] Standard 1.5 requires OCTC to establish aggravating circumstances by clear and convincing evidence. Standard 1.6 requires Taylor to meet the same burden to prove mitigation.

[10] The misconduct underlying *Taylor III* and *Taylor IV* occurred during the same time period. Hence, in *Taylor IV*, the parties stipulated it was not appropriate to increase the discipline under standard 1.8 over that imposed in *Taylor III*. (*In the Matter of Sklar* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 602, 619 [where misconduct underlying prior case overlaps with that in current case, court considers findings in both to "determine what the discipline would have been had all the charged misconduct in this period been brought as one case"].) The overlapping misconduct in those matters does not diminish the weight of either prior record now, as Taylor had the opportunity to heed the import of each before committing the present violations. (*Ibid.* ["part of the rationale for considering prior discipline as having an aggravating impact is that it is indicative of a recidivist attorney's inability to conform his or her conduct to ethical norms"].)

render previous discipline serious aggravating circumstance as they indicate prior discipline did not rehabilitate].)

The hearing judge discounted the weight of Taylor's first two records for being remote in time from the present offenses. We reject this analysis. The transgressions underlying the 1993 and 2002 discipline orders were not remote in time from each other, nor from Taylor's misconduct beginning in 2006 and continuing through mid-2009, underlying the discipline imposed in 2010 and 2011. (Compare with *In the Matter of Hanson* (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 703 [no significant weight for prior misconduct occurring 17 years before respondent committed further wrongdoing where prior misconduct was minimal and different from current misconduct].)

B. Significant Aggravation for Multiple Acts of Wrongdoing (Std. 1.5(b))

We also afford significant aggravation based on Taylor's 13 separate probation violations, constituting multiple acts of wrongdoing.[11] (Std. 1.5(b).)

C. Modest Mitigation for Cooperation with State Bar (Std. 1.6(e))

The hearing judge found that Taylor "demonstrated exceptional cooperation with LAP, the State Bar Probation Office, and the State Bar Office of Trials." We disagree. We give great weight to the hearing judge's factual findings (Rules Proc. of State Bar, rule 5.155(A)), but are unable to adopt this one because it is directly contrary to the record (*In the Matter of DeMassa* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 737, 748 [factfinder's factual findings are entitled to great weight but still "must be supported by the record"]). For example, as the judge noted, Taylor's repeated evasive testimony about basic issues delayed the trial. Further, Taylor testified

[11] OCTC asserts Taylor's prior and present misconduct form a pattern, warranting further aggravation. We do not assign aggravation under standard 1.5(c) (for "pattern of misconduct") because we already account for the similarities between Taylor's past and current misconduct and for his multiple acts of wrongdoing here in the aggravation we find under standards 1.5(a) and (b).

inconsistently at trial about the causes of two probation violations. He testified he missed an October 12, 2011 Lab Test because he was focused on caring for his mother in Pasadena. Later, he claimed he failed to file an October 2011 quarterly report because he was in the San Francisco Bay Area from roughly September 9 through October 17, 2011. Taylor was unable to explain this contradiction when OCTC questioned him about it.[12]

We are aware that Taylor eventually graduated from the LAP. But considering his evasiveness and inconsistent testimony at trial, his numerous probation violations, and the fact that his LAP Plan was extended due to unexcused violations, we disagree with the hearing judge that Taylor has shown "exceptional cooperation." We nevertheless assign modest mitigation for his cooperation with the State Bar in stipulating to easily provable facts. (*In the Matter of Oheb* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920, 938 [no significant mitigation for stipulation to easily provable facts].)

D. No Mitigation for Good Faith (Std. 1.6(b))

The hearing judge assigned significant mitigation for Taylor's good faith efforts to comply with his probation conditions. We do not. We acknowledge that he did submit each late quarterly report within a month of its deadline. We also consider Taylor's multiple explanations regarding difficulties contributing to his probation violations, including: being engrossed in caring for his elderly mother; coping with his brother's unexpected death; having to travel to attend criminal court proceedings; becoming absorbed in work relating to his criminal probation; forgetting to bring a required form to Lab Tests; failing to date a quarterly report that would have otherwise been timely; and being delayed on public transit. Still, we cannot consider his efforts

[12] While Taylor testified inconsistently on this point, we do not find clear and convincing evidence that he did so in an attempt to mislead the court. We therefore do not find aggravation for lack of candor under standard 1.5(l).

to comply with his probation conditions to be "objectively reasonable" when he: (1) received reminders of the conditions and instructions on completing and submitting quarterly reports; (2) failed to obtain authorization for absences from LAP meetings and Lab Tests, even though LAP provides a procedure for doing so; and (3) submitted no evidence that he sought to modify his probation conditions. (Std. 1.6(b) [allowing mitigation where attorney acts upon "honestly held and objectively reasonable" beliefs].)

E. No Mitigation for Emotional and Physical Difficulties (Std. 1.6(d))

The hearing judge found Taylor's efforts to overcome alcoholism warranted "very significant, if not compelling" mitigation under standard 1.6(d). We disagree because Taylor has not established the relevant factors under the standard. Standard 1.6(d) provides that extreme emotional and physical difficulties may be mitigating if: (1) expert testimony establishes they were "directly responsible for the misconduct;" (2) they were not the result of any illegal conduct; and (3) clear and convincing evidence proves they no longer pose a risk.

First, we do not find clear and convincing evidence that alcoholism was "directly responsible" for Taylor's misconduct. He has not consumed alcohol since September 10, 2010, nearly seven months before his first probation violation and over three years before his last violation. At trial, Taylor presented expert testimony from James Stillwell, the executive director of a drug and alcohol treatment center for roughly 35 years,[13] who opined that Taylor's "inability to organize and prioritize" competing demands on his time led to the probation violations. Stillwell testified further that such difficulty living "life on life's terms" and "trying to be all things to all people" may be a symptom of alcoholism. Yet when asked specifically

[13] OCTC recognized Stillwell's "extensive background," and had no objection to his qualification as an expert.

whether alcoholism caused Taylor's violations, Stillwell testified: "No, he wasn't drunk."[14] Taylor's own treating psychologist testified that she could not draw a conclusion as to whether his addiction caused him to violate the conditions of his probation.

Moreover, Taylor has not proven that any difficulties that may have caused his misconduct have subsided. Stillwell testified that Taylor "has gotten better at recognizing when he has too much on his plate." But he admitted he did not have detailed knowledge of Taylor's abilities to manage competing obligations as his perceptions were based primarily on his interactions with Taylor at recovery meetings, which they both attend regularly. Taylor himself estimated he had been better able to balance responsibilities during 2014, but conceded he is still plagued by key stressors that distract him from his probation conditions, most notably his role as the primary caretaker for his elderly and infirm mother.

The record reflects that Taylor has worked zealously toward recovery. However, his preoccupation with that process may have distracted him from his professional obligations. Taylor attended AA recovery meetings up to six times a day for more than a year and a half, while his probation conditions only required him to attend one meeting per day. At the time of trial, he continued to attend regular meetings, but at a reduced frequency that allowed him to live a more balanced life. Considering all factors, we do not find clear and convincing evidence that alcoholism directly caused Taylor's probation violations or that any difficulties that contributed to the violations have been alleviated. Thus, we assign no mitigation under standard 1.6(d).

F. Mitigation for Good Character (Std. 1.6(f))

Taylor's misconduct is significantly mitigated by character evidence from 10 witnesses who understood the charges against him and constituted a wide range of references from the

[14] Taylor's claim that alcoholism caused his current violations is undermined by the common theme of missed deadlines permeating his misconduct since 1989. We lack specific evidence as to when his alcohol abuse began and whether it was a factor in his earliest violations, or if Taylor simply struggles with deadline management.

legal and general communities. (Std. 1.6(f).) They included five attorneys, who have a "strong interest in maintaining the honest administration of justice" (*In the Matter of Brown* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 309, 319), an insurance company president, a teacher, an accountant, and others. Some met Taylor at recovery meetings and had known him for between one and a half and three and a half years. Others were old friends and/or former colleagues who had known him for approximately 25 to 50 years.

One witness, who met Taylor in 2013 through AA, declared that he was "warm and reassuring" and a "a man of strong character and positive intentions." Another who had known Taylor since 1990 testified that, in his sobriety, Taylor's "patience and [his] kindness is [*sic*] really quite amazing." Each witness spoke of Taylor's commitment to recovery. Many also testified that his demeanor changed greatly during the time from his early sobriety in September 2010 to his late 2014 disciplinary trial in that he had become calmer, less angry and resentful, and more willing to help others and to ask for help.

In sum, the quality and quantity of Taylor's character evidence merit full mitigating weight.

IV. DISBARMENT IS APPROPRIATE AND NECESSARY[15]

Our disciplinary analysis begins with the standards. (*In re Silverton* (2005) 36 Cal.4th 81, 91.) Standard 1.8(b) provides that, if a member has two or more prior records of discipline, disbarment is appropriate if: (1) an actual suspension was ordered in any of the prior matters; (2) the prior and current matters demonstrate a pattern of misconduct; or (3) the prior and current matters demonstrate an unwillingness or inability to conform to ethical responsibilities.[16]

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[15] The purpose of attorney discipline is not to punish the attorney, but to protect the public, the courts, and the legal profession; to preserve public confidence in the profession; and to maintain high professional standards for attorneys. (Std. 1.1.)

Taylor's case meets at least two of these criteria.[17] He has been actually suspended in two prior cases—nine months in *Taylor III* and 90 days in *Taylor IV*. Also, his intermittent misconduct throughout his career, beginning roughly four years after his admission to the Bar and continuing through the most recent December 2013 violation, as summarized below, demonstrates an inability or unwillingness to conform to his ethical responsibilities:

- August 1989: failed to file complaint before expiration of statute of limitations;
- December 1989: failed to file complaint before expiration of statute of limitations;
- January 1991 – at least August 1991: failed to answer complaint against client, resulting in default judgment; failed to inform client he stopped work on her case; failed to respond to request for entry of default served on client and to seek relief from default judgment;
- March 2000: failed to comply with sanctions order and to report sanctions to the Bar;
- August 2006 – July 2009: intentionally, recklessly, and repeatedly failed to perform competently in multiple client matters, resulting in serious adverse consequences to clients, and repeatedly failed to maintain due respect for courts and judicial officers;
- September 2007 – March 2009: repeatedly committed criminal acts that involved moral turpitude and violated a restraining order; and,
- April 2011 – December 2013: committed 13 probation violations, including seven missed Lab Tests, two missed LAP group therapy sessions, and four late quarterly reports.

Section 1.8(b) provides for a departure from the presumptive discipline of disbarment, where "the most compelling mitigating circumstances clearly predominate or the misconduct underlying the prior discipline occurred during the same time period as the current misconduct." Here, the mitigating circumstances—evidence of good character and limited cooperation with the State Bar—are neither compelling nor predominant compared to the significant aggregate aggravation. We note also that Taylor previously cooperated with the State Bar by entering into

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[16] Standard 2.14 (providing that actual suspension is appropriate for a violation of section 6068, subdivision (k)) is also relevant. Standard 1.7(a) directs that when multiple sanctions apply, the most severe shall be imposed. Thus, we focus on standard 1.8(b).

[17] We need not decide whether Taylor's repeated probation violations constitute a pattern, given that the other two prongs of standard 1.8(b) are satisfied.

stipulations, as he did here, in each of his prior proceedings, and received mitigating credit in *Taylor II* for good character. Yet he reoffended. Thus, the presence of the same mitigating factors here is insufficient to reassure us that his misconduct will cease.

The hearing judge acknowledged the applicability of standard 1.8(b), and did not find compelling and clearly predominant mitigation, but still declined to recommend disbarment. The judge concluded that disbarment was unnecessary because she found that: (1) Taylor's first two discipline records were remote in time; (2) the drinking that surrounded his prior misconduct no longer poses a threat; (3) he was not unwilling to comply with ethical standards; and (4) his violations are substantially mitigated by his good character, his recovery from alcohol abuse, and the death of his brother. With the exception of good character, we have rejected each of these findings.[18]

While standard 1.8(b) is not an inflexible rule (*Conroy v. State Bar* (1991) 53 Cal.3d 495, 506-507 [applying former std. 1.7(b)]), we are unable to articulate a reason to depart from it here (*Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5 [requiring us to state clear reasons for departure from standards]; see also stds. 1.2(i), 1.7(c)). We view an attorney's ability to comply with probation conditions as an important bellwether of his capacity to practice law competently and find Taylor's repeated probation violations to be serious misconduct.[19] (See *Potack v. State*

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[18] Further, in assessing discipline, the judge incorrectly relied on *In the Matter of Laden* (Review Dept. 2004) 4 Cal. State Bar Ct. Rptr. 678, a probation revocation case in which progressive discipline was not at issue and that involved substantial mitigation not present in this matter. Neither standard 1.8(b) nor its precursor (former standard 1.7(b)), in effect at the time of the *Laden* case, applies in a probation revocation proceeding, as disbarment is not a possible sanction. Rule 5.312 of the Rules of Procedure of the State Bar governs the appropriate discipline in probation revocation proceedings and provides that the court may recommend (1) discipline including an actual suspension equal to or less than the period of stayed suspension imposed in the matter in which the probation was ordered, and (2) staying all or part of the actual suspension and imposing a new probation period.

[19] Timely filing quarterly reports is significant to rehabilitation "because it requires the attorney, four times a year, to review and reflect upon his professional conduct . . . [and] to

Bar (1991) 54 Cal.3d 132, 139 [failure to abide by probation terms and conditions is serious violation].) Taylor's risk of recidivism is high because of the disregard for the administration of justice he has demonstrated throughout his past and current misconduct.

Under these circumstances, disbarment is appropriate under standard 1.8(b) and necessary to protect the public, the courts, and the legal profession.

V. RECOMMENDATION

We recommend that Johnnie Lee Taylor be disbarred from the practice of law in California and that his name be stricken from the roll of attorneys admitted in this state.

We also recommend that Taylor be ordered to comply with California Rules of Court, rule 9.20 and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court order in this matter.

We further recommend that costs be awarded to the State Bar in accordance with section 6086.10, such costs being enforceable as provided in section 6140.7 and as a money judgment.

VI. ORDER

Pursuant to section 6007, subdivision (c)(4), and rule 5.111(D)(1) of the Rules of Procedure of the State Bar, Taylor is ordered enrolled inactive. The order of inactive enrollment is effective three days after service of this opinion. (Rules Proc. of State Bar, rule 5.111(D)(1).)

HONN, J.

WE CONCUR:

PURCELL, P. J.

EPSTEIN, J.

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review his conduct to ensure that he complies with all of the conditions of his disciplinary probation." (*In the Matter of Wiener* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 759, 763.)

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 March 7, 2016, I deposited a true copy of the following document(s):

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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:

JOHNNIE L. TAYLOR
LAW OFC JOHN TAYLOR
251 E MONTANA ST
PASADENA, CA 91104

☒ 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 Los Angeles, California, on March 7, 2016.

Rosalie Ruiz
Case Administrator
State Bar Court