

PUBLIC MATTER

FILED

JUL 31 2014

1 STATE BAR OF CALIFORNIA
2 OFFICE OF THE CHIEF TRIAL COUNSEL
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STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

STATE BAR COURT

HEARING DEPARTMENT - SAN FRANCISCO

12 In the Matter of:) Case No.: 13-O-17117
13 CHRISTIAN KELLEY JENSEN,)
14 No. 214239,) NOTICE OF DISCIPLINARY CHARGES
15 A Member of the State Bar.)

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**
22 **WILL NOT BE PERMITTED TO PRACTICE LAW;**
- 23 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN**
24 **THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION**
25 **AND THE DEFAULT IS SET ASIDE, AND;**
- 26 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
27 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**
28 **OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN**
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
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:

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JURISDICTION

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1. Christian Jensen ("respondent") was admitted to the practice of law in the State of California on June 28, 2001, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

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COUNT ONE

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Case No. 13-O-17117
Rules of Professional Conduct, rule 4-100(B)(4)
[Failure to Pay Client Funds Promptly]

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2. On or about September 4, 2013, respondent received on behalf of respondent's client, Anthony Trbovich, a settlement check from client's landlord in the amount of \$4,250 made payable to "Christian K. Jensen Attny/Client Trust." Of this sum, the client was entitled \$4,250. On or about September 23, 2013, Dmitri Pikman wrote to respondent on behalf of the client requesting that respondent pay the settlement money to client. To date, respondent has failed to pay promptly, as requested by respondent's client, any portion of the \$4,250 in respondent's possession in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

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COUNT TWO

Case No. 13-O-17117
Business and Professions Code, section 6106
[Moral Turpitude - Misappropriation]

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4 3. On or about September 4, 2013, respondent received on behalf of respondent's client,
5 Anthony Trbovich, a check for \$4,250 made payable to "Christian K. Jensen Attny/Client Trust"
6 in settlement of an unlawful detainer action. On or about September 4, 2013, respondent
7 deposited the \$4,250 into respondent's client trust account at JPMorgan Chase Bank, N.A.,
8 account no. XXXXX5372 on behalf of the client. Between on or about September 30, 2013 and
9 December 9, 2013, respondent dishonestly or grossly negligently misappropriated for
10 respondent's own purposes \$4,250 that respondent's client, was entitled to receive, and thereby
11 committed an act involving moral turpitude, dishonesty or corruption in willful violation of
12 Business and Professions Code, section 6106.

COUNT THREE

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15 Case No. 13-O-17117
16 Business and Professions Code, section 6068(m)
17 [Failure to Inform Client of Significant Development]

18 4. Respondent failed to keep respondent's client, Anthony Trbovich, reasonably
19 informed of significant developments in a matter in which respondent had agreed to provide
20 legal services, in willful violation of Business and Professions Code, section 6068(m), by failing
21 to inform the client of the following: that the settlement check, check no. 3003 for \$4,250, was
22 received and deposited into respondent's client trust account at JPMorgan Chase Bank, N.A.,
23 account no. XXXXX5372, on September 4, 2013.

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COUNT FOUR

Case No. 13-O-17117
Rules of Professional Conduct, rule 4-100(B)(1)
[Failure to Notify of Receipt of Client Funds]

5. On or about September 4, 2013, respondent received on behalf of respondent's client, Anthony Trbovich, a settlement check from client's landlord in the amount of \$4,250 made payable to "Christian K. Jensen Attny/Client Trust. Respondent failed to notify the client of Respondent's receipt of funds on the client's behalf, in willful violation of Rules of Professional Conduct, rule 4-100(B)(1).

COUNT FIVE

Case No. 13-O-17117
Rules of Professional Conduct, Rule 2-100(A)
[Communication with a Represented Party]

6. On or about August 31, 2013:

A) Respondent represented Anthony Trbovich;

B) Respondent knew that Patrick Henry was an agent of a party represented by another lawyer, in the same matter that respondent represented Anthony Trbovich; and

C) Respondent communicated with Patrick Henry about the subject of that representation without the consent of Allen Sowle, lawyer for the represented party, in willful violation of Rules of Professional Conduct, rule 2-100(A).

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COUNT SIX

Case No. 13-O-17117
Rules of Professional Conduct, rule 4-100(A)
[Failure to Maintain Client Funds in Trust Account]

7. On or about September 4, 2013, respondent received on behalf of respondent's client, Anthony Trbovich, a settlement check from Trbovich's former landlord made payable to respondent's CTA in the amount of \$4,250. On or about September 4, 2013, respondent deposited the \$4,250 into Respondent's client trust account at JPMorgan Chase Bank, N.A., account no. XXXXX5372 on behalf of the client. Of this sum, the client was entitled to \$4,250. Respondent failed to maintain a balance of \$4,250 on behalf of the client in Respondent's client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

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.

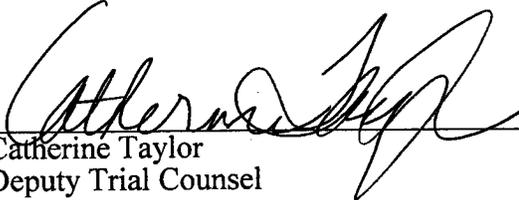
NOTICE - COST ASSESSMENT!

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: July 31, 2014

By: 
Catherine Taylor
Deputy Trial Counsel

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DECLARATION OF SERVICE
BY CERTIFIED AND REGULAR MAIL

CASE NO.: 13-O-17117

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 2393 1266

Christian K. Jensen
Law Offices of Christian Jensen
PO Box 197
Lafayette, CA 94549

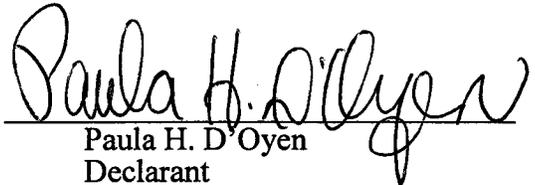
in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

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: July 31, 2014

Signed:


Paula H. D'Oyen
Declarant