

# PUBLIC MATTER

**FILED**

1 STATE BAR OF CALIFORNIA  
 OFFICE OF THE CHIEF TRIAL COUNSEL  
 2 JAYNE KIM, No. 174614  
 CHIEF TRIAL COUNSEL  
 3 JOSEPH R. CARLUCCI, No. 172309  
 DEPUTY CHIEF TRIAL COUNSEL  
 4 MELANIE J. LAWRENCE, No. 230102  
 ASSISTANT CHIEF TRIAL COUNSEL  
 5 WILLIAM TODD, No. 259194  
 DEPUTY TRIAL COUNSEL  
 6 845 South Figueroa Street  
 Los Angeles, California 90017-2515  
 7 Telephone: (213) 765-1491

JUN 09 2014  
 STATE BAR COURT  
 CLERK'S OFFICE  
 LOS ANGELES

8

9

STATE BAR COURT

10

HEARING DEPARTMENT - LOS ANGELES

11

12

In the Matter of:

) Case No. 13-O-17404, 13-O-17426,  
 ) 14-O-00206

13

MYAVA R. ESCAMILLA,  
 No. 268834,

) NOTICE OF DISCIPLINARY CHARGES  
 )  
 )  
 )

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  
 WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT  
 18 THE STATE BAR COURT TRIAL:**

19

**(1) YOUR DEFAULT WILL BE ENTERED;**

20

**(2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU  
 WILL NOT BE PERMITTED TO PRACTICE LAW;**

21

**(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;**

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.**

25

26

kwiktag® 048 638 885

27



28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

The State Bar of California alleges:

JURISDICTION

1. Myava R. Escamilla ("Respondent") was admitted to the practice of law in the State of California on January 19, 2010, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 13-O-17404  
Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

2. On or about November 1, 2012, Leydis Hernandez employed Respondent to perform legal services, namely to represent Hernandez in a marital dissolution action filed by Hernandez's husband on October 12, 2012 in Los Angeles County Superior Court titled *Eduardo R. Guzman vs. Leydis L. Berben Hernandez*, case no. SD031261, which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by the following:

- Respondent failed to communicate with either Hernandez's spouse or counsel for Hernandez's spouse regarding the marital dissolution petition;
- Respondent failed to otherwise defend Hernandez's interests in the marital dissolution petition.

COUNT TWO

Case No. 13-O-17404  
Business and Professions Code, section 6068(m)  
[Failure to Respond to Client Inquiries]

3. Respondent failed to respond promptly to multiple telephonic and e-mail reasonable status inquiries made by Respondent's client, Leydis Hernandez, between November 1, 2012 and March 19, 2013, that Respondent received in a matter in which Respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

///  
///  
///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

COUNT THREE

Case No. 13-O-17404  
Rules of Professional Conduct, rule 3-700(D)(2)  
[Failure to Refund Unearned Fees]

4. On or about November 2, 2012, Respondent received advanced fees of \$5,000 from a client, Leydis Hernandez, in a marital dissolution matter filed by Hernandez's husband. Respondent performed no services of value on behalf of the client and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about March 11, 2013 any part of the \$5,000 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT FOUR

Case No. 13-O-17404  
Rules of Professional Conduct, rule 4-100(B)(3)  
[Failure to Render Accounts of Client Funds]

5. On or about November 2, 2012, Respondent received from Respondent's client, Leydis Hernandez, the sum of \$5,000 as advanced fees for legal services to be performed. Respondent thereafter failed to render an appropriate accounting to the client regarding those funds following the client's request for such accounting on or about January 23, 2013, in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

COUNT FIVE

Case No. 13-O-17404  
Business and Professions Code, section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

6. 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 January 13, 2014 and March 17, 2014, which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 13-O-17404, in willful violation of Business and Professions Code, section 6068(i).

///  
///  
///





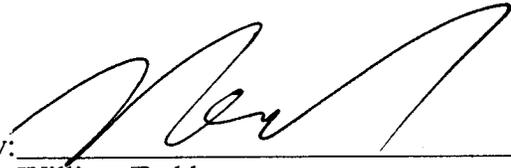
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**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: June 9, 2014

By: \_\_\_\_\_

William Todd  
Deputy Trial Counsel

DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 13-O-17404, 13-O-17426, 14-O-00206

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, 845 S. Figueroa Street, Los Angeles, California 90017-2515, declare that:

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

NOTICE OF DISCIPLINARY CHARGES

By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))

- 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 Los Angeles.

By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))

By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))

- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').

By Fax Transmission: (CCP §§ 1013(e) and 1013(f))

Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

By Electronic Service: (CCP § 1010.6)

Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

(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 6409 9635 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, and Courtesy Copy to. Row 1: Myava R. Escamilla, Professional Law Group APC, 171 S Anita Dr Ste 104, Orange, CA 92868, Electronic Address, Lawrence P. Adamsky, Esq., 9701 Wilshire Blvd., Ste 1000, Beverly Hills, Ca 90212.

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'). 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, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

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: June 9, 2014

SIGNED

Signature of Laura Jett, LAURA JETT Declarant

FILED

MAY 29 2013

STATE BAR COURT CLERK  
SAN FRANCISCO

1 David Cameron Carr, no. 124510  
2 Law Office of David Cameron Carr PLC  
3 525 B Street, Suite 1500  
4 San Diego, California 92101-4417  
5 Tel: (619) 696-0526  
6 Fax: (619) 696-0523

7 Attorney for Respondent  
8 GLEN STEVEN FLEETWOOD

STATE BAR COURT

HEARING DEPARTMENT- LOS ANGELES

10 In the Matter of ) Case no(s): 13-O-14922 PEM  
11 GLEN STEVEN FLEETWOOD ) RESPONSE TO NOTICE OF DISC  
12 no. 113429 ) CHARGES  
13 A Member of the State Bar ) [Rule of Procedure 5.43]

14 Address for Service

15 All documents in this matter should be served on respondent's counsel at the  
16 above.

kwiktag® 048 638 823



17 Response to Allegations

- 18 1. Respondent admits the allegations of paragraph 1.
- 19 Count One 13-O-14922 (Bus. & Prof. Code section 6106)
- 20 2. Respondent denies the allegations of paragraph 2
- 21 Count Two 13-O-14922 (Bus. & Prof. Code section 6068(d))
- 22 3. Respondent denies the allegations of paragraph 3.

23 Affirmative Defenses

- 24 1. The notice of discipline charges (NDC) and every count in it, fails to ple
- 25 offense.
- 26 2. With respect to Count One, at all relevant times, Respondent lacked f

1  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25