

STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES

In the Matter of)	Case No.: 13-TR-11407-DFM
)	
PETER DAVID NITSCHKE,)	ORDER OF INVOLUNTARY INACTIVE
)	ENROLLMENT
Member No. 174123,)	
)	
<u>A Member of the State Bar.</u>)	

On April 5, 2013, the Office of the Chief Trial Counsel of the State Bar of California (State Bar) filed a motion seeking an order enrolling attorney Peter David Nitschke as an inactive member of the State Bar of California pursuant to Business and Professions Code section 6007, subdivision (b)(2) and rules 5.180, et seq. of the Rules of Procedure of the State Bar (motion).¹ A copy of the motion was properly served on attorney Nitschke by certified mail, return receipt requested, on April 3, 2013, at his membership records address and at an alternate address in Orange, California. The motion was also personally served on attorney Nitschke at the alternate address. No response to the motion was filed by attorney Nitschke.

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¹ The State Bar also requested that the court take judicial notice of Exhibit 1 (a certified copy of the permanent order assuming jurisdiction over respondent's law practice) which is attached to the motion. The court grants the State Bar's request and takes judicial notice of this order.

Attached to the State Bar's motion is a certified copy of a superior court order assuming jurisdiction over attorney Nitschke's law practice, issued by the Honorable Charles Magines on November 7, 2012, in *In the Matter of the Assumption of Jurisdiction Over the Law Practice of Peter David Nitschke, State Bar Membership No. 174123*, Orange County Superior Court, case No. 30-2012 00604489. The superior court assumed jurisdiction over attorney Nitschke's practice under Business and Professions Code sections 6190 et seq. The superior court's order does not provide for any exceptions to the court's assumption of jurisdiction over attorney Nitschke's practice.

The court finds that the evidence clearly and convincingly demonstrates that an order involuntarily enrolling attorney Nitschke as an inactive member of the State Bar of California is appropriate under Business and Professions Code section 6007, subdivision (b)(2). (Rules Proc. of State Bar, rule 5.182(A).)

ORDER

The court orders that the State Bar's April 5, 2013 motion for involuntary inactive enrollment is GRANTED. Accordingly, the court further orders that attorney Peter David Nitschke be involuntarily enrolled as an inactive member of the State Bar of California (Bus. & Prof. Code, § 6007, subd. (b)(2)) effective three days after service of this order by mail (Rules Proc. of State Bar, rule 5.184).

IT IS SO ORDERED.

Dated: May ____, 2013

DONALD F. MILES
Judge of the State Bar Court