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<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b>			<b>PUBLIC MATTER</b>
<b>STAYED SUSPENSION</b>			
Counsel For The State Bar  <b>Sherell N. McFarlane</b> <b>Deputy Trial Counsel</b> <b>845 South Figueroa Street</b> <b>Los Angeles, CA 90017</b> <b>(213) 765-1288</b>  Bar # 217357	Case Number(s): <b>14-C-02180-RAP</b> <b>14-C-02181</b>	For Court use only   <b>FILED</b> <b>NOV 20 2014</b> <i>P.B.</i> STATE BAR COURT CLERK'S OFFICE LOS ANGELES	
In Pro Per Respondent  <b>Alejandro Portales</b> <b>Portales Law, PC</b> <b>200 N Main St 2nd Fl</b> <b>Santa Ana, CA 92701</b> <b>(714) 426-9010</b>  Bar # 202992	Submitted to: <b>Settlement Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>STAYED SUSPENSION; NO ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED		
In the Matter of: <b>ALEJANDRO PORTALES</b>  Bar # 202992  A Member of the State Bar of California (Respondent)			

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted **December 1, 1999.**
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 13 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."



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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- Costs are added to membership fee for calendar year following effective date of discipline.
  - Costs are to be paid in equal amounts prior to February 1 for the following membership years: (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure). If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
  - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
  - Costs are entirely waived.

**B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(f) & 1.5]. Facts supporting aggravating circumstances are required.**

- (1)  **Prior record of discipline**
- (a)  State Bar Court case # of prior case
  - (b)  Date prior discipline effective
  - (c)  Rules of Professional Conduct/ State Bar Act violations:
  - (d)  Degree of prior discipline
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."
- (2)  **Dishonesty:** Respondent's misconduct was intentional, surrounded by, or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4)  **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6)  **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.

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- (7)  **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. **See Attachment to Stipulation at page 10.**
- (8)  **Restitution:** Respondent failed to make restitution.
- (9)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances**

**C. Mitigating Circumstances [see standards 1.2(g) & 1.6]. Facts supporting mitigating circumstances are required.**

- (1)  **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2)  **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3)  **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4)  **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5)  **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6)  **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7)  **Good Faith:** Respondent acted with a good faith belief that was honestly held and reasonable.
- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (9)  **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10)  **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11)  **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12)  **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation.

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(13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances**

**Pretrial Stipulation - See Attachment to Stipulation at page 10.**

#### D. Discipline:

(1)  **Stayed Suspension:**

(a)  Respondent must be suspended from the practice of law for a period of **one (1) year**.

- i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.2(c)(1), Standards for Attorney Sanctions for Professional Misconduct.
- ii.  and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii.  and until Respondent does the following:

The above-referenced suspension is stayed.

(2)  **Probation:**

Respondent is placed on probation for a period of **two (2) years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court.)

#### E. Additional Conditions of Probation:

- (1)  During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2)  Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (3)  Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (4)  Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (5)  Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

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- (6)  Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (7)  Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the State Bar Ethics School, and passage of the test given at the end of that session.
- No Ethics School recommended. Reason: .
- (8)  Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (9)  The following conditions are attached hereto and incorporated:
- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input type="checkbox"/> Financial Conditions             |

#### F. Other Conditions Negotiated by the Parties:

- (1)  **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**

No MPRE recommended. Reason:

- (2)  **Other Conditions:**

##### **Additional Probation Condition**

**Respondent recognizes that a repeat conviction for DUI suggests an alcohol and/or drug problem that needs to be addressed before it affects respondent's legal practice. Respondent agrees to take the steps necessary to control the use of alcohol and/or drugs such that it will not affect respondent's law practice in the future. Respondent's agreement to participate in an abstinence-based self-help group (as defined herein), as a condition of discipline, is part of respondent's efforts to address such concerns.**

**As a condition of probation, and during the period of probation, respondent must attend a minimum of two (2) meetings per month of any abstinence-based self-help group of respondent's choosing, including without limitation Alcoholics Anonymous, Narcotics Anonymous, LifeRing, S.M.A.R.T., S.O.S., etc. Other self-help maintenance programs are acceptable if they include a subculture to support recovery, including abstinence-based group meetings. (See O'Conner v. Calif. (C.D. Calif. 1994) 855 F. Supp. 303 [no First Amendment violation where probationer given choice between AA and secular program].) Respondent is encouraged, but not required, to obtain a "sponsor" during the term of participation in these meetings.**

**The program called "Moderation Management" is not acceptable because it is not abstinence-based and allows the participant to continue consuming alcohol.**

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**Respondent must contact the Office of Probation and obtain written approval for the program respondent has selected prior to attending the first self-help group meeting. If respondent wants to change groups, respondent must first obtain the Office of Probation's written approval prior to attending a meeting with the new self-help group.**

**Respondent must provide to the Office of Probation satisfactory proof of attendance at the meetings set forth herein with each quarterly report submitted to the Office of Probation. Respondent may not sign as the verifier of his or her own attendance.**

**Respondent is encouraged, but is not required, to participate in the Lawyers' Assistance Program, to abstain from alcohol and illegal drugs, and to undergo random urinalysis testing to complement abstinence.**

**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:                   Alejandro Portales  
CASE NUMBERS:                    14-C-02180-RAP, 14-C-02181

**FACTS AND CONCLUSIONS OF LAW.**

Respondent admits that the following facts are true and that the facts and circumstances surrounding the offenses for which he was convicted involved misconduct warranting discipline.

Case No. 14-C-02181 (Conviction Proceedings)

**PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING:**

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On June 7, 2004, the Orange County District Attorney filed a criminal complaint in the Superior Court of California for the County of Orange, case number 04CM04479, charging respondent with one count of violating Vehicle Code section 23152(a) [Driving Under the Influence], a misdemeanor, and one count of violating Vehicle Code section 23152(b) [Driving with 0.08 percent or more blood alcohol], a misdemeanor. The complaint further alleged that respondent suffered a prior conviction for violations of Vehicle Code sections 23152(a) and (b) [Driving under the Influence, Driving with 0.08 percent or more blood alcohol] on August 1, 2002.
3. On September 20, 2004, respondent pled guilty to one count each of violation of Vehicle Code section 23152(a) [Driving under the Influence] and Vehicle Code section 23152(b) [Driving with 0.08 percent or more blood alcohol], and the prior allegation was stricken upon the prosecutor's motion.
4. On September 20, 2004, the court accepted respondent's guilty plea, suspended the imposition of sentence and placed respondent on informal probation for a period of three years on conditions which included incarceration in the county jail for five days, alcohol-related search terms, court-ordered restitution and fine payment, and the requirements that he attend and complete the first-time offender alcohol program and attend the Mothers Against Drunk Driving Victim Impact Panel.
5. On May 22, 2014, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed in the event that the Hearing Department finds that the facts and circumstances surrounding the offenses for which respondent was convicted involved moral turpitude or other misconduct warranting discipline.



FACTS:

6. On May 6, 2004, respondent drove a vehicle while he was intoxicated. On that date at approximately 10:27 p.m., respondent was driving a gray Ford Mustang that was missing three tires. Respondent was driving on three rims and only one tire, and the rims were emitting sparks.

7. A citizen who observed this called police, and a City of Orange police officer was dispatched. The officer observed respondent driving on three damaged rims that were emitting sparks. He initiated traffic stop and respondent yielded without incident.

8. When respondent exited his vehicle in response to the officer's request, respondent's gait was unsteady as he walked, his speech was slurred when he spoke to the officer, and his eyes were bloodshot.

9. During the officer's investigation, respondent was cooperative. Respondent admitted that he had been drinking. The officer administered a series of subjective field sobriety tests, which respondent failed to complete successfully.

10. Thereafter, respondent was arrested for driving under the influence of alcohol in violation of Vehicle Code sections 23152 (a) and (b). He was subsequently transported to the police station where he submitted to a breath test. Respondent's blood alcohol content measured 0.19 percent on the Alcosensor IV alcohol breath analyzer.

CONCLUSIONS OF LAW:

11. The facts and circumstances surrounding the above-described violations did not involve moral turpitude but did involve other misconduct warranting discipline.

Case No. 14-C-02180 (Conviction Proceedings)

PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING:

12. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.

13. On December 2, 2013, the Orange County District Attorney filed a criminal complaint in the Superior Court of California for the County of Orange, case number 13CM09870, charging respondent with one count of violating Vehicle Code section 23152(a) [Driving Under the Influence], a misdemeanor, and one count of violating Vehicle Code section 23152(b) [Driving with 0.08 percent or more blood alcohol], a misdemeanor. The complaint further alleged that respondent suffered a prior conviction for violations of Vehicle Code sections 23152(a) and (b) on September 20, 2004.

14. On April 3, 2014, respondent pled guilty to one count each of violation of Vehicle Code section 23152(a) [Driving under the Influence] and Vehicle Code section 23152(b) [Driving with 0.08 percent or more blood alcohol], and admitted the prior allegation.

15. On April 3, 2014, the court accepted respondent's guilty plea, suspended the imposition of sentence and placed respondent on informal probation for a period of five years with various terms and conditions, including incarceration in the county jail for sixty days, alcohol-related search terms, court-ordered restitution and fine payment, and the requirements that he attend and complete the eighteen-

month multiple offender alcohol program and attend the Mothers Against Drunk Driving Victim Impact Panel.

16. On August 20, 2014, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed in the event that the Hearing Department finds that the facts and circumstances surrounding the offenses for which respondent was convicted involved moral turpitude or other misconduct warranting discipline.

#### FACTS:

17. On October 17, 2013, respondent drove a vehicle while he was intoxicated. On that date, at approximately 10:49 p.m. respondent was driving his vehicle without a front license plate in violation of Vehicle Code section 5200(a). City of Orange police officers observed this and initiated a traffic stop to conduct an investigation.

18. Respondent's speech was slurred when he spoke to the officers, his eyes were bloodshot and watery, and he smelled of alcohol.

19. During the officer's investigation, respondent was cooperative. Respondent admitted that he had been drinking. The officer administered a series of subjective field sobriety tests to respondent, which respondent failed to complete successfully.

20. Thereafter, respondent was arrested for driving under the influence of alcohol in violation of Vehicle Code sections 23152 (a) and (b). He was subsequently transported to the police station where he submitted to a breath test. Respondent's blood alcohol content measured 0.11 percent on the Alcosensor IV alcohol breath analyzer.

#### CONCLUSIONS OF LAW:

21. The facts and circumstances surrounding the above-described violations did not involve moral turpitude but did involve other misconduct warranting discipline.

#### AGGRAVATING CIRCUMSTANCES.

**Multiple Acts of Misconduct (Std. 1.5(b)):** Respondent has been convicted of driving under the influence of alcohol on three separate occasions. This is an aggravating factor.

#### MITIGATING CIRCUMSTANCES.

**Pretrial Stipulation:** Respondent has stipulated to facts, conclusions of law, and disposition in order to resolve his disciplinary proceedings as efficiently as possible, prior to trial, thereby avoiding the necessity of a trial and saving State Bar and State Bar Court time and resources. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability].) By entering into this stipulation, respondent has accepted responsibility for his misconduct.

## AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct “set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances.” (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to Standards are to this source.) The Standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the Standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the Standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a Standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) “Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure.” (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given Standard, in addition to the factors set forth in the specific Standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member’s willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

Standard 2.12(b) applies to respondent’s misconduct in the present matter, and provides in relevant part as follows: “Suspension or reproof is appropriate for final conviction of a misdemeanor not involving moral turpitude but involving other misconduct warranting discipline.”

Although Respondent has been in practice for over 14 years without a prior record of discipline, respondent is not entitled to mitigation because respondent was first convicted of an alcohol-related crime in 2002, approximately two and one half years after being admitted to the State Bar. Furthermore, respondent was convicted of his second and third alcohol-related crimes on September 20, 2004, and April 3, 2014, respectively. While respondent’s conduct in the conviction matters did not involve the practice of law, his multiple acts of misconduct constitute an aggravating circumstance, and respondent’s misconduct is serious because it demonstrates a disregard for the law and safety of others.

Therefore, in order to protect the public, the courts and the legal profession, to maintain the highest professional standards, and to preserve public confidence in the legal profession, and in consideration of the mitigating and aggravating circumstances, a discipline of consisting of one year stayed suspension, and two years of probation on the terms and conditions set forth herein is appropriate.

Case law also supports this result. In *In re Kelley* (1990) 32 Cal.3d 487, the Supreme Court publicly reproofed an attorney and placed her on disciplinary probation for a period of three years subject to conditions which included her referral to the State Bar’s Program on Alcohol Abuse. The attorney was convicted of drunk driving on two occasions over a 31-month period. The second incident constituted a violation of her criminal probation in the first case. The attorney’s blood alcohol level in the second

case was between 0.16 percent and 0.17 percent. Although respondent here was not on probation for his second offense when he committed his third alcohol-related criminal offense, his three prior convictions demonstrate his conscious disregard for the law. Because respondent's misconduct involving three alcohol-related convictions is more serious than the misconduct in *Kelley* involving only two alcohol-related convictions, a higher level of discipline than that imposed in *Kelley* is appropriate here.

**EXCLUSION FROM MCLE CREDIT**

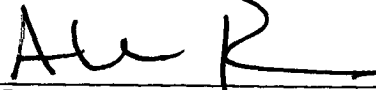
Pursuant to rule 3201, respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

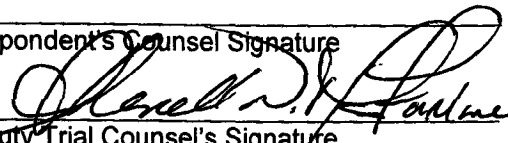
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In the Matter of: Alejandro Portales	Case number(s): 14-C-02180 14-C-02181
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**SIGNATURE OF THE PARTIES**

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

10-30-14                                            Alejandro Portales  
Date                                      Respondent's Signature                      Print Name

November 4, 2014                                            Sherell N. McFarlane  
Date                                      Deputy Trial Counsel's Signature                      Print Name

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In the Matter of:  
Alejandro Portales

Case Number(s):  
14-C-02180  
14-C-02181

### STAYED SUSPENSION ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

November 20, 2014  
Date

  
\_\_\_\_\_  
GEORGE E. SCOTT, JUDGE PRO TEM  
Judge of the State Bar Court

## 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 November 20, 2014, I deposited a true copy of the following document(s):

### STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

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:

**ALEJANDRO PORTALES  
PORTALES LAW, PC  
200 N MAIN ST 2ND FL  
SANTA ANA, CA 92701**

- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

**Sherell N. McFarlane, Enforcement, Los Angeles**

**Terrie Goldade, Probation, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 20, 2014.



Paul Barona  
Case Administrator  
State Bar Court