

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
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FILED

OCT 15 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE)
CONVICTION OF:)
)
FRANK FELDHER SOMMERS IV,) Case No. 14-C-4540
No. 109012)
) Transmittal of Records of Conviction of Attorney (Bus. & Prof.
) Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.)
)
) [] Felony;
A Member of the State Bar) [] Crime(s) involved moral turpitude;
) [] Probable cause to believe the crime(s) involved moral
) turpitude;
) [X] Crime(s) which may or may not involve moral turpitude or
) other misconduct warranting discipline;
) [X] Transmittal of Notice of Finality of Conviction.

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

- [X] A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of the Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the State Bar and for such consideration and action as the Court deems appropriate:
- [] B. Notice of Appeal
- [X] C. Evidence of Finality of Conviction (Notice of Lack of Appeal)
- [] D. Other

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Name of Member: Frank Feldher Sommers IV

Date member admitted to practice law in California: December 15, 1982

Member's Address of Record: Frank Feldher Sommers IV, Sommers & Schwartz LLP

1 Embarcadero Center, Ste 800

San Francisco, CA 94111

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named member of the State Bar was convicted as follows:

Date of entry of conviction: December 14, 2011

Convicting court: Justice Court of Incline Township, County of Washoe, State of Nevada

Case number(s): CR 278-10

Crime(s) of which convicted and classification(s): Simple Battery, a violation of Washoe County Code section 53.110; 125.050 and NRS 200.481, a misdemeanor that may or may not involve moral turpitude. (See *In the Matter of Miller* (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 110, 114 [convictions for battery may or may not involve moral turpitude]; *In the Matter of Stewart* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 52 [battery on a police officer may or may not involve moral turpitude]; *In re Otto* (1989) 48 Cal.3d 970 [assault by means likely to produce great bodily harm and infliction of corporal punishment on a cohabitant of the opposite sex resulting in a traumatic condition may or may not involve moral turpitude].

3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.

4. Other information to assist the State Bar Court

Since this is a conviction from the State of Nevada, the State Bar is providing the Review Department with a copy of Washoe County Code section 53.110 and Washoe County Code section 125.050. These Code sections were obtained from the internet. The State Bar is also providing the Review Department with a copy of N.R.S. section 200.481. It was obtained from Westlaw.com. The State Bar requests that this Court take judicial notice of these codes and statutes. (See Cal. Evidence Code section 452.)

DOCUMENTS TRANSMITTED:

Warrant of Arrest dated 7/26/11
Docket certified on 8/26/14
Affidavit in Support of Complaint and Warrant of Arrest filed 10/14/11
Criminal Complaint Filed 10/14/11
Washoe County Code, sections 53.110 and 125.050
N.R.S. 200.481

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: October 15, 2014

BY: 
Allen Blumenthal
Senior Trial Counsel

A copy of this transmittal and its
Attachments have been sent to:

Frank Feldher Sommers IV
Sommers & Schwartz LLP
1 Embarcadero Center, Ste 800
San Francisco, CA 94111

DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 14-C-4540

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

TRANSMITTAL OF RECORDS OF CONVICTION OF ATTORNEY

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 2393 2003, at San Francisco, on the date shown below, addressed to:

**Frank Feldher Sommers IV
Sommers & Schwartz LLP
1 Embarcadero Ctr Ste 800
San Francisco, CA 94111**

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: October 15, 2014

Signed: 

Ina M. Strehle
Declarant