

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

**MAR 27 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 ) Case No. 14-C-762  
CONVICTION OF: )  
) Transmittal of Records of Conviction of Attorney (Bus. & Prof.  
**DAVID GANEY KELLY,** ) Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.)  
**No. 268795** )  
)  Felony;  
)  Crime(s) involved moral turpitude;  
A Member of the State Bar )  Probable cause to believe the crime(s) involved moral  
) turpitude;  
)  Crime(s) which may or may not involve moral turpitude or  
) other misconduct warranting discipline;  
)  Transmittal of Notice of Finality of Conviction.

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

- 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
- C. Evidence of Finality of Conviction (Notice of Lack of Appeal)
- D. Other

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Name of Member: David Ganey Kelly

Date member admitted to practice law in California: January 11, 2010

Member's Address of Record: 340 Mathilda Dr., Apt. 6  
Goleta, CA 93117

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: February 10, 2014

Convicting court: Superior Court of California, County of Santa Barbara

Case number(s): 1450499

Crime(s) of which convicted and classification(s): Violation of California Penal Code § 311.11(a)  
(Possession or Control of Child Pornography), one count, a felony which involves moral turpitude as in  
In re Grant (2014) 58 Cal. 4<sup>th</sup> 469.

[ X ] 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.

[ X ] 4. Other information to assist the State Bar Court

The remaining count was dismissed. Upon finality of the conviction, the State Bar will be filing a request for summary disbarment.

DOCUMENTS TRANSMITTED:

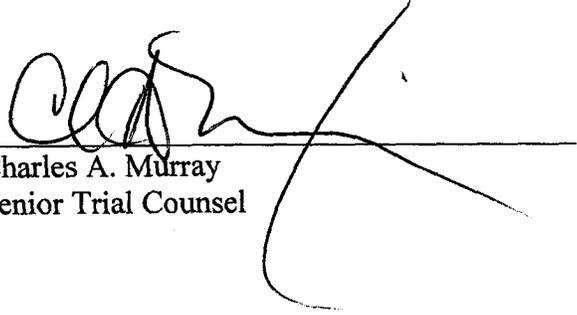
Complaint  
Plea filed on 02/10/14  
Plea Minutes dated 02/10/14  
Sentencing Minutes dated 03/10/14  
Sentencing and Probation Order

DATED:

3/25/2014

THE STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL

BY:

  
Charles A. Murray  
Senior Trial Counsel

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

David Ganey Kelly  
340 Mathilda Dr., Apt. 6  
Goleta, CA 93117

DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 14-C-00762

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 South Figueroa Street, Los Angeles, California 90017, declare that:

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

TRANSMITTAL OF RECORDS OF CONVICTION OF ATTORNEY; COMPLAINT; PLEA FILED ON 02/10/14; PLEA MINUTES DATED 02/10/14; SENTENCING MINUTES DATED 03/10/14; SENTENCING AND PROBATION ORDER

- By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

(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 6411 1559 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, Courtesy Copy to. Row 1: DAVID GANEY KELLY, 340 Mathilda Drive Apt. 6 Goleta, CA 93117, Electronic Address.

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: March 27, 2014

SIGNED: Genelle De Luca-Suarez
Genelle De Luca-Suarez
Declarant