

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED

DEC 22 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of:) Case No. 14-J-03438
 13)
 14 JAMES BOLES,) NOTICE OF DISCIPLINARY CHARGES
 No. 141639,)
 15)
 16 A Member of the State Bar) (Bus. & Prof. Code, § 6049.1; Rules Proc. Of
 State Bar, rules 5.350 to 5.354)

NOTICE - FAILURE TO RESPOND!

IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL:

- 20 (1) **YOUR DEFAULT WILL BE ENTERED;**
- 21 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW;**
- 22 (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;**
- 23 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN ORDER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**



1 The State Bar of California alleges:

2 JURISDICTION

3 1. James Boles ("respondent") was admitted to the practice of law in the State of
4 California on August 21, 1989, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

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7 PROFESSIONAL MISCONDUCT IN A FOREIGN JURISDICTION

8 2. On or about March 21, 2014, the Nevada Supreme Court ordered that respondent be
9 disciplined upon findings that respondent had committed professional misconduct in that
10 jurisdiction as set forth in the Findings of Fact, Conclusions of Law and Decision and the Order
11 of Suspension. Thereafter, the decision of the foreign jurisdiction became final.

12 3. A certified copy of the final order of disciplinary action of the foreign jurisdiction is
13 attached, as Exhibit 1, and incorporated by reference.

14 4. A copy of the statutes, rules or court orders of the foreign jurisdiction found to have
15 been violated by respondent is attached, as Exhibit 2, and incorporated by reference.

16 5. Respondent's culpability as determined by the foreign jurisdiction indicates that the
17 following California statutes or rules have been violated or warrant the filing of this Notice of
18 Disciplinary Charges: Business and Professions Code §§ 3-110(A), 6068(m), 6068(d) and 6106
19 and Rules of Professional Conduct Rule 3-700(A)(2) and 3-700(D)(1).

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21 ISSUES FOR DISCIPLINARY PROCEEDINGS

22 6. The attached findings and final order are conclusive evidence that respondent is
23 culpable of professional misconduct in this state subject only to the following issues:

24 A. The degree of discipline to impose;

25 B. Whether, as a matter of law, respondent's culpability determined in the
26 proceeding in the other jurisdiction would not warrant the imposition of discipline in the State of
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1 California under the laws or rules binding upon members of the State Bar at the time the member
2 committed misconduct in such other jurisdiction; and

3 C. Whether the proceedings of the other jurisdiction lacked fundamental
4 constitutional protection.

5 7. Respondent shall bear the burden of proof with regard to the issues set forth in
6 subparagraphs B and C of the preceding paragraph.

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NOTICE - INACTIVE ENROLLMENT!

9 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
10 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
11 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
12 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
13 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
14 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**
15 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**
16 **RECOMMENDED BY THE COURT.**

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NOTICE - COST ASSESSMENT!

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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.

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Respectfully submitted,

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THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

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DATED: 12/22/14

By: 

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Sue Hong
Deputy Trial Counsel

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DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 14-J-3438

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:

NOTICE OF DISCIPLINARY CHARGES

- 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) to:

- (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.: 9414 7266 9904 2010 0869 01 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 via US Mail to. Row 1: JAMES BOLES, 10627 Almond Avenue Oak View, CA 93022, CC via electronic address:

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

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').

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: December 22, 2014

SIGNED:

Ana Botosaru Nercessian
Declarant