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STATE BAR COURT

HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of:)	Case No. 14-O-0722
GUY GILBERT GIBSON, JR. ,)	NOTICE OF DISCIPLINARY CHARGES
No. 50588,)	
)	
A Member of the State Bar)	

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:

- (1) YOUR DEFAULT WILL BE ENTERED;
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW;
- (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;
- (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. Guy Gilbert Gibson, Jr. ("respondent") was admitted to the practice of law in the
4 State of California on January 5, 1972, was a member at all times pertinent to these charges, and
5 is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 14-O-0722
8 Business and Professions Code, section 6068(a)
9 [Failure to Comply With Laws – Breach of Fiduciary Duty]

10 2. Respondent breached the fiduciary duty owed to the settlor and to the beneficiaries of
11 the Mary G. Jones Revocable Trust, for which respondent served as Trustee, as follows, in
12 willful violation of Business and Professions Code section 6068(a):

13 A. Misappropriated \$67,294.75 of trust assets; and

14 B. Failed to timely provide an accounting of the Mary G. Jones Revocable Trust to the
15 successor Trustee, Edna Etzel.

16 COUNT TWO

17 Case No. 14-O-0722
18 Business and Professions Code, section 6106
19 [Moral Turpitude]

20 3. Between December 29, 2006 and July September 13, 2013, respondent disbursed
21 \$67,294.75 belonging to the Mary G. Jones Revocable Trust without authority from his client
22 trust account for his own benefit. Respondent dishonestly or grossly negligently misappropriated
23 for respondent's own purposes \$67,294.75 that he was required to maintain on behalf of the
24 Trust, and thereby committed an act involving moral turpitude, dishonesty or corruption in
25 willful violation of Business and Professions Code, section 6106.

26 NOTICE - INACTIVE ENROLLMENT!

27 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
28 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**

1 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
2 RECOMMENDED BY THE COURT.

3 NOTICE - COST ASSESSMENT!

4 IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
5 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
6 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING
7 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
8 PROFESSIONS CODE SECTION 6086.10.

9 Respectfully submitted,

10 THE STATE BAR OF CALIFORNIA
11 OFFICE OF THE CHIEF TRIAL COUNSEL

12 DATED: February 27, 2015

13 By: 

14 Erica L. M. Dennings
15 Senior Trial Counsel
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DECLARATION OF SERVICE BY REGULAR AND CERTIFIED MAIL

CASE NUMBER: 14-O-0722

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

NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as regular mail and certified mail, return receipt requested, Article No.: 7196 9008 9111 2393 2331, at San Francisco, on the date shown below, addressed to:

**Guy Gilbert Gibson, Jr.
P.O. Box 911
Folsom, CA 95630**

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: February 27, 2015

Signed: _____



Ina M. Strehle
Declarant