1 2 3 4 5 6	STATE BAR OF CALIFORNIA OFFICE OF THE CHIEF TRIAL COUNSEL JAYNE KIM, No. 174614 CHIEF TRIAL COUNSEL JOSEPH R. CARLUCCI, No. 172309 DEPUTY CHIEF TRIAL COUNSEL ROBERT A. HENDERSON, No. 173205 SUPERVISING SENIOR TRIAL COUNSEL HEATHER E. ABELSON, No. 243691 DEPUTY TRIAL COUNSEL 180 Howard Street San Francisco, California 94105-1639 Telephone: (415) 538-2357	PUBLIC MATTER FILED OCT 2 0 2014 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
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8	STATE BAR COURT	
9	HEARING DEPARTMENT - SAN FRANCISCO	
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12	In the Matter of:	Case No. 14-O-01920
13	MYRON FRANCIS SMITH,) No. 72722,)	NOTICE OF DISCIPLINARY CHARGES
14		
15	A Member of the State Bar	
16	NOTICE - FAILURE TO RESPOND!	
17	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:	
18		reden.
19	(1) YOUR DEFAULT WILL BE ENT (2) YOUR STATUS WILL BE CH WILL NOT BE PERMITTED TO	ANGED TO INACTIVE AND YOU
20	(3) YOU WILL NOT BE PERMITTE	
21	AND THE DEFAULT IS SET AS	
22	SPECIFICALLY, IF YOU FAIL	TO TIMELY MOVE TO SET ASIDE T, THIS COURT WILL ENTER AN
23	ORDER RECOMMENDING	YOUR DISBARMENT WITHOUT CEEDING. SEE RULE 5.80 ET SEQ.,
24	RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.	
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The State Bar of California alleges: 1 2 **JURISDICTION** 1. MYRON FRANCIS SMITH ("respondent") was admitted to the practice of law in the 3 State of California on December 22, 1976, was a member at all times pertinent to these charges, 4 5 and is currently a member of the State Bar of California. 6 COUNT ONE 7 Case No. 14-O-01920 Business and Professions Code, section 6103 8 [Failure to Obey a Court Order] 2. Respondent disobeyed or violated an order of the court requiring respondent to do or 9 forbear an act connected with or in the course of respondent's profession which respondent ought 10 in good faith to do or forbear by failing to comply with the August 14, September 11, and 11 October 23, 2013 Orders to Show Cause Why Sanctions Should Not Be Imposed in United 12 Carpet Co. v. Frank Sutherland, Tulare County Superior Court, case no. VCL158327, in willful 13 violation of Business and Professions Code, section 6103. 14 15 COUNT TWO 16 Case No. 14-O-01920 Business and Professions Code, section 6103 17 [Failure to Obey a Court Order] 3. Respondent disobeyed or violated an order of the court requiring respondent to do or 18 forbear an act connected with or in the course of respondent's profession which respondent ought 19 in good faith to do or forbear by failing to comply with the June 3, June 24, and December 18, 20 2013 Orders to Show Cause, and the January 3, 2014 Case Management Order, in Taneja v. 21 Patel, Alameda County Superior Court, case no. RG13663528, in willful violation of Business 22 23 and Professions Code, section 6103. 24 25 26 27

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COUNT THREE

Case No. 14-O-01920
Business and Professions Code, section 6068(o)(3)
[Failure to Report Judicial Sanctions]

4. Respondent failed to report to the agency charged with attorney discipline, in writing, within 30 days of the time respondent had knowledge of the imposition of any judicial sanctions against respondent by failing to report to the State Bar the \$1,000 in sanctions the court imposed on respondent on or about January 3, 2014 in connection with *Taneja v. Patel*, Alameda County Superior Court, case no. RG13663528, in willful violation of Business and Professions Code section, 6068(o)(3).

COUNT FOUR

Case No. 14-O-01920 Business and Professions Code, section 6068(i) [Failure to Cooperate in State Bar Investigation]

5. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a substantive response to the State Bar's letters of May 9, 2014 and September 11, 2014, which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 14-O-01920, in willful violation of Business and Professions Code, section 6068(i).

NOTICE - INACTIVE ENROLLMENT!

YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR 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 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.

NOTICE - COST ASSESSMENT!

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.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: October 20, 2014

HEATHER E. ABELSON Deputy Trial Counsel

DECLARATION OF SERVICE BY CERTIFIED AND REGULAR MAIL

CASE NO.: 14-O-01920

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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 States Postal Service; that in the ordinary course of the State Bar of California's practice,

California's practice for collection and processing of correspondence for mailing with the United 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 certified mail, return receipt requested, and in an additional sealed envelope as regular mail, at San Francisco, on the date shown below, addressed to:

Article No.: 7196 9008 9111 2393 1334

Myron Francis Smith Law Ofc Myron F Smith 1284 W. Shaw Ave., # 103 Fresno, CA 93711

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 20, 2014

Signed:

Declarant