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7
8 IN THE STATE BAR COURT OF STATE OF CALIFORNIA
9 LOS ANGELES HEARING DEPARTMENT

10
11 IN RE: PATRICIA J. BARRY,)
12) CASE No. 14-0-02579
13 _____)
14) **RESPONDENT PATRICIA J.
15) BARRY'S RESPONSE AND ANSWER
16) TO NOTICE OF DISCIPLINARY
17) CHARGES**

17 Attorney/Respondent PATRICIA J. BARRY ("Barry") responds as follows to the Notice:

18 1. As to Parag. 1, admit.

19 2. As to parag. 2, Barry denies because the Bar has a deficient allegation which the
20 Bar can never correct and Count 1 should be dismissed. The Bar must prove the orders were
21 constitutionally valid, and if they were, whether at the time they were made Barry had the ability
22 to comply. In addition, the Bar has no jurisdiction over discovery sanctions. While it has no
23 jurisdiction over discovery sanctions, it conveniently is using "violation of court order" as an
24 excuse to become involved in discovery sanctions. This is because James Fox, who is unethical,
25 has an undue influence over Jayne Kim, whose own misconduct as alleged in the Dunn
26 complaint, if true, has committed a crime and should be removed as Trial Counsel and an outside
27 attorney appointed to prosecute her. They are behind this retaliatory prosecution of Barry.

28 3. As to parag. 3, Barry denies because the Bar has a deficient allegation which the



1 Bar can never correct and Count 2 should be dismissed. The Bar must prove the orders were
2 constitutionally valid, and if they were, whether at the time they were made Barry had the ability
3 to comply. In addition, the Bar has no jurisdiction over discovery sanctions. While it has no
4 jurisdiction over discovery sanctions, it conveniently is using "violation of court order" as an
5 excuse to become involved in discovery sanctions which is what the court order to appear is all
6 about . This is because James Fox, who is unethical, has an undue influence over Jayne Kim,
7 whose own misconduct as alleged in the Dunn complaint, if true, has committed a crime and
8 should be removed as Trial Counsel and an outside attorney appointed to prosecute her. They are
9 behind this retaliatory prosecution of Barry.

10 4. As to parag. 4, Barry denies because the Bar has a deficient allegation which the
11 Bar can never correct and Count 3 should be dismissed. The Bar must prove the orders were
12 constitutionally valid, and if they were, whether at the time they were made Barry had the ability
13 to comply. In addition, the Bar has no jurisdiction over discovery sanctions. While it has no
14 jurisdiction over discovery sanctions, it conveniently is using "violation of court order" as an
15 excuse to become involved in discovery sanctions. This is because James Fox, who is unethical,
16 has an undue influence over Jayne Kim, whose own misconduct as alleged in the Dunn
17 complaint, if true, has committed a crime and should be removed as Trial Counsel and an outside
18 attorney appointed to prosecute her. They are behind this retaliatory prosecution of Barry.

19 **ADDITIONAL ALLEGATIONS IN DEFENSE OF THESE CHARGES:**

20 5. San Mateo Superior Court has declared unconstitutionally that when Barry
21 attempted to represent Michele Fotinos who was being mobbed by Judge David Karesh, and a
22 cabal of attorneys in her mother's conservatorship case, she and Michele Fotinos were Vexatious
23 Litigants. It is legally and factually impossible for an attorney who is representing a client to be a
24 vexatious litigant ("VL") and for a represented litigant to be a VL. The Bar knows this and
25 knew that Judge Labson-Freeman filed a pre-filing order forcing Barry to make false allegations
26 that she was in an pro per, that she was a VL, that she was filing new litigation **on her own**
27 **behalf**. Yet, Barry needed the order to file court documents on behalf of Michele Fotinos when
28 J. Labson-Freeman knew that Barry was not proceeding in pro per, was not a VL, and was not

1 filing papers in her case but rather as the attorney in Michele Fotinos' case. Barry tried four
2 times for leave to file documents, and Judge Foiles just ignored them and to this day has never
3 ruled on them.

4 6. Having created circumstances that made it impossible for Barry to comply with
5 the law (filing documents to prosecute and defend for Michele Fotinos), San Mateo nor the Bar
6 can prosecute Barry for not complying with the law when San Mateo has barred her from
7 complying with the law.

8 7. Finally, the Bar wants Barry to risk false imprisonment and her life and limb by
9 appearing in San Mateo. Erin Joyce knows as do James Fox, Steve Wagstaffe, Greg Munks, and
10 all the judges in San Mateo that John Fotinos is a dangerous and violent felon, that Patricia
11 Barry, Michele Fotinos, and her daughter Rachel Fotinos were instrumental in getting J. Fotinos
12 arrested and his 14 guns, 2 assault rifles, 20 high capacity magazines, and 10,000 rounds of live
13 ammo confiscated in June 2012 by picketing and passing out fliers.

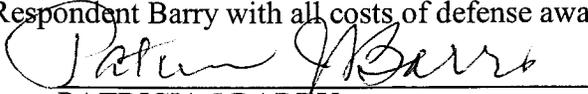
14 8. Yet, Steve Wagstaffe threw the weapons prosecution case and J. Fotinos walks
15 about free. He is terrorizing Michele and Rachel who both lived with him and know his rage, his
16 impulsivity, and his violence. By his own admission, J. Fotinos is brain damaged making it
17 even more likely he will commit violence. Michele and Rachel are hiding out at this time
18 because San Mateo refuses them a restraining order. J. Fotinos has made it clear to the Bar that
19 he hates Barry, Michele, and his daughter. He is not serving any jail time. He has three guns
20 registered to him which were never picked up. His wife Dawn Grover has many guns. Her
21 mother is a retired Santa Barbara deputy Sheriff and this writer believes she has guns. Despite
22 the fact that both Grover's mother and Grover have been abused verbally by J. Fotinos, and on
23 information and belief, Grover's mother loaned him money for his criminal defense which he
24 used, on information and belief, to purchase a \$3,000 bicycle, they both support him. If he wants
25 guns, Grover will provide them to him because she will do anything for him. The burden is on
26 the Bar to prove that this dangerous man will not murder Barry should she appear in San Mateo
27 Court. For starters, the Bar needs to read the statistics on D.V. murders. Women are most often
28 murdered by their intimates and family members and most often with a gun. J. Fotinos would

1 like to see Barry, Michele, and Rachel all dead.

2 9. Barry and Michele Fotinos have been severely harmed with the Bar coming after
3 Barry besides not being able to defend or prosecute on behalf of Michele Fotinos in San Mateo.

4 For these reasons, Respondent requests that the Court sua sponte dismiss in the interest of
5 justice pursuant to Rule 5.124(G)(2), or alternatively, that the Bar take nothing from its NDC and
6 judgment be entered in favor of Respondent Barry with all costs of defense awarded to her.

7 DATED: May 26, 2015


PATRICIA J. BARRY

PROOF OF SERVICE BY HAND DELIVERY

I reside in the County of Los Angeles, State of California. I am over the age of 18 and I am not a party in the within action. My address is 634 S. Spring St., Ste 823, Los Angeles, CA 90014.

On May 25, 2015, I personally handdelivered the following

RESPONDENT PATRICIA J. BARRY'S RESPONSE AND ANSWER TO NOTICE OF DISCIPLINARY CHARGES

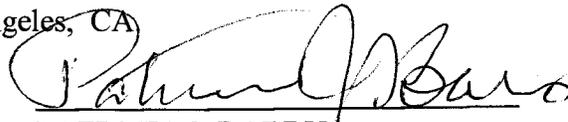
by hand delivering the documents to the following interested parties

ONE COPY:
State Bar Trial Counsel Erin Joyce
845 S. Figueroa St
Los Angeles, CA 90017

ORIGINAL AND ONE COPY:
STATE BAR COURT
c/o Clerk, State Bar of CA
845 S. Figueroa St.
Los Angeles, CA 90017

ORIGINAL AND TWO COPIES:
HONORABLE LUCY ARMENDARIZ
STATE BAR TRIAL COURT JUDGE
c/o Clerk, State Bar of CA
845 S. Figueroa St.
Los Angeles, CA 90017

I declare the foregoing to be true and correct under penalty of perjury. Executed on
October 7, 2014, in Los Angeles, CA


PATRICIA J. BARRY