

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
 2 OFFICE OF THE CHIEF TRIAL COUNSEL
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FILED

DEC 18 2014

**STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES**

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:

) Case Nos. 14-O-02725
) 14-O-03142
) 14-O-03639

GREGORY LYLE JACKSON,
No. 212265,

) NOTICE OF DISCIPLINARY CHARGES

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.**

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Respondent Gregory Lyle Jackson was admitted to the practice of law in the State
4 of California on January 11, 2001, 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-02725

8 Rules of Professional Conduct, rule 3-110(A)
9 [Failure to Perform with Competence]

10 2. On or about December 31, 2012, Stephen Wilson employed Respondent to
11 perform legal services, namely to represent him in a marital dissolution action filed in Kern
12 County Superior Court, case no. S-1501-FL-620976 in Kern County Superior Court, in
13 which Respondent intentionally, recklessly, or repeatedly failed to perform with competence,
14 in wilful violation of Rules of Professional Conduct, rule 3-110(A), by failing to take any
15 action to complete Wilson's legal matter after he filed the response to the petition for
16 dissolution on behalf of Wilson on January 7, 2013.

17 COUNT TWO

18 Case No. 14-O-02725

19 Business and Professions Code section 6068(m)
20 [Failure to Respond to Reasonable Client Inquiries]

21 3. Respondent failed to respond promptly to several telephonic reasonable status
22 inquiries made by Respondent's client, Stephen Wilson, in the time period from September
23 2013 until March 2014, that Respondent received in a matter in which Respondent had
24 agreed to provide legal services, in wilful violation of Business and Professions Code section
25 6068(m).
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COUNT THREE

Case No. 14-O-02725
Rules of Professional Conduct, rule 4-100(B)(3)
[Failure to Render Accounts of Client Funds]

4. On or about December 31, 2012, Respondent received from Respondent's client, Stephen Wilson, the sum of \$5,250 as advanced fees for legal services to be performed. Respondent thereafter failed to render an appropriate accounting to the client regarding those funds following the client's termination of Respondent's employment on or about March 17, 2014, and request for a refund of the unearned portion of the advanced attorney fees in wilful violation of Rules of Professional Conduct, rule 4-100(B)(3).

COUNT FOUR

Case No. 14-O-03142
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

5. On or about November 23, 2013, Carol Donahue employed Respondent to perform legal services, namely to represent her in a criminal case involving driving-under-the-influence charges in San Bernardino Superior Court and the related Department of Motor Vehicles (DMV) matter, in which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in wilful violation of Rules of Professional Conduct, rule 3-110(A), by failing to take any action on either of Donahue's legal matters after sending the letter of representation to the DMV on November 29, 2013.

COUNT FIVE

Case No. 14-O-03142
Business and Professions Code section 6068(m)
[Failure to Respond to Reasonable Client Inquiries]

6. Respondent failed to respond promptly to over four telephonic and written reasonable status inquiries made by Respondent's client, Carol Donahue, in the time period from late November 2013 until late December 2013, that Respondent received in a matter in which Respondent had agreed to provide legal services, in wilful violation of Business and Professions Code section 6068(m).

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COUNT SIX

Case No. 14-O-03142
Rules of Professional Conduct, rule 4-100(B)(3)
[Failure to Render Accounts of Client Funds]

7. On or about November 23, 2013, Respondent received from Respondent's client, Carol Donahue, the sum of \$6,500 as advanced fees for legal services to be performed. Respondent thereafter failed to render an appropriate accounting to the client regarding those funds following the client's termination of Respondent's employment on or about March 21, 2014, and request for a refund of the unearned portion of the advanced attorney fees in wilful violation of Rules of Professional Conduct, rule 4-100(B)(3).

COUNT SEVEN

Case No. 14-O-03142
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Advanced Attorney Fees]

8. On or about November 23, 2013, Respondent received advanced fees of \$6,500 from a client, Carol Donahue, which were paid to perform legal services, namely to represent Donahue in a criminal case involving driving-under-the-influence charges in San Bernardino Superior Court and the related Department of Motor Vehicles (DMV) matter. Respondent performed no legal services on behalf of the client and therefore earned none of the advanced attorney fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about March 21, 2014 any part of the \$6,500 fee, in wilful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT EIGHT

Case No. 14-O-03639
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

9. On or about June 14, 2013, Tommy Nielsen employed Respondent to perform legal services, namely to represent him in his immigration matter. Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in wilful violation of Rules of Professional Conduct, rule 3-110(A), by failing to file any documents and failing to take any

1 other action in connection with Nielsen's application for permanent residency or perform any
2 other legal services for the client.

3 COUNT NINE

4 Case No. 14-O-03639
5 Rules of Professional Conduct, rule 4-100(B)(3)
6 [Failure to Render Accounts of Client Funds]

7 10. From on or about June 14, 2013 until October 2013, Respondent received from
8 Respondent's client, Tommy Nielsen, the sum of \$10,000 as advanced fees for legal services
9 to be performed. Respondent thereafter failed to render an appropriate accounting to the
10 client regarding those funds following the client's termination of Respondent's employment
11 on January 9, 2014, and request for a refund of the unearned portion of the advanced attorney
12 fees in wilful violation of Rules of Professional Conduct, rule 4-100(B)(3).

13 COUNT TEN

14 Case No. 14-O-03639
15 Rules of Professional Conduct, rule 3-700(D)(2)
16 [Failure to Refund Unearned Advanced Attorney Fees]

17 11. From on or about June 14, 2013 until October 2013, Respondent received
18 advanced fees of \$10,000 from a client, Tommy Nielsen, which were paid to perform legal
19 services, namely to represent Nielsen in his immigration matter. Respondent performed no
20 legal services on behalf of the client and therefore earned none of the advanced fees paid.
21 Respondent failed to refund promptly, upon Respondent's termination of employment on or
22 about January 9, 2014 any part of the \$10,000 fee, in wilful violation of Rules of Professional
23 Conduct, rule 3-700(D)(2).

24 NOTICE - INACTIVE ENROLLMENT!

25 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE
26 BAR COURT FINDS, PURSUANT TO BUSINESS AND
27 PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT
28 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.**

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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: December 18, 2014

By: 
Erin McKeown Joyce
SENIOR TRIAL COUNSEL

DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 14-O-02725, 14-O-03142, 14-O-03639

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)

- (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 0908 92 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 via U.S. mail, Business-Residential Address, Fax Number, and Courtesy Copy via First Class Mail:.

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').

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 18, 2014

SIGNED:

Juli Finnila signature and name: JULI FINNILA Declarant