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STATE BAR COURT
HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of:) Case No. 14-O-02828
TINA TRAN,) NOTICE OF DISCIPLINARY CHARGES
No. 283842,)
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.**

The State Bar of California alleges:

JURISDICTION



1 McCarthy's family law matter, scheduled for April 16, 2014.

2 COUNT FOUR

3 Case No. 14-O-02828
4 Rules of Professional Conduct, rule 3-700(D)(1)
5 [Failure to Release File]

6 5. Respondent failed to release promptly, after termination of respondent's employment
7 on or about April 30, 2014, to respondent's client, Timothy McCarthy, all of the client's papers
8 and property following the client's request for the client's file on April 30, 2014, in willful
9 violation of Rules of Professional Conduct, rule 3-700(D)(1).

10 COUNT FIVE

11 Case No. 14-O-02828
12 Rules of Professional Conduct, rule 4-100(B)(3)
13 [Failure to Render Accounts of Client Funds]

14 6. On or about January 21, 2014, respondent received from respondent's client,
15 Timothy McCarthy, the sum of \$3,000 as advanced fees for legal services to be performed.
16 Respondent thereafter failed to render a timely accounting to the client regarding those funds
17 following Timothy McCarthy's request for such accounting on or about April 30, 2014 upon the
18 termination of respondent's employment on or about April 30, 2014, in willful violation of the
19 Rules of Professional Conduct, rule 4-100(B)(3).

20 COUNT SIX

21 Case No. 14-O-02828
22 Business and Professions Code, section 6068(i)
23 [Failure to Cooperate in State Bar Investigation]

24 7. Respondent failed to cooperate and participate in a disciplinary investigation
25 pending against Respondent by failing to provide a substantive response to the State Bar's
26 letters of June 18, 2014 and September 17, 2014, which Respondent received, that requested
27 Respondent's response to the allegations of misconduct being investigated in case no. 14-O-
28 02828, in willful violation of Business and Professions Code, section 6068(i).

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NOTICE - INACTIVE ENROLLMENT!

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2 YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
3 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
4 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
5 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
6 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
7 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
8 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
9 RECOMMENDED BY THE COURT.

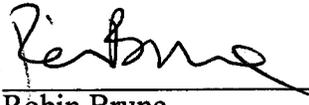
NOTICE - COST ASSESSMENT!

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11 IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
12 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
13 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING
14 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
15 PROFESSIONS CODE SECTION 6086.10.

16 Respectfully submitted,

17 THE STATE BAR OF CALIFORNIA
18 OFFICE OF THE CHIEF TRIAL COUNSEL

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DATED: December 12, 2014

By: 

Robin Brune
Senior Trial Counsel

