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STATE BAR COURT CLERK'S OFFICE
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8
9 STATE BAR COURT

10 HEARING DEPARTMENT - SAN FRANCISCO

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12 In the Matter of:) Case No. 14-O-02998
13 TINA TRAN,)
No. 283842,) NOTICE OF DISCIPLINARY CHARGES
14)
15 A Member of the State Bar)

16
17 **NOTICE - FAILURE TO RESPOND!**

18 **IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE**
19 **WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT**
THE STATE BAR COURT TRIAL:

- 20 (1) **YOUR DEFAULT WILL BE ENTERED;**
21 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**
WILL NOT BE PERMITTED TO PRACTICE LAW;
22 (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;
23 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
24 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**
25 **OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN**
26 **ORDER RECOMMENDING YOUR DISBARMENT WITHOUT**
FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

27 The State Bar of California alleges:
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JURISDICTION

1. TINA TRAN ("respondent") was admitted to the practice of law in the State of California on June 21, 2102, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 14-O-02998
Business and Professions Code, section 6068(m)
[Failure to Respond to Client Inquiries]

2. Respondent failed to respond promptly to five telephonic, and four email reasonable status inquiries made by respondent's client, Patrick Feeny, on behalf of his minor child, between on or about January 16, 2014 and March 13, 2014, that respondent received in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

COUNT TWO

Case No. 14-O-02998
Rules of Professional Conduct, rule 3-700(D)(1)
[Failure to Release File]

3. Respondent failed to release promptly, after termination of respondent's employment on or about February 3, 2014, to respondent's client, Patrick Feeny, on behalf of his minor child, all of the client's papers and property following Patrick Feeny's request, on behalf of his minor child, for the client's file on February 18, 2014, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

COUNT THREE

Case No. 14-O-02998
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

4. On or about January 16, 2014, respondent received advanced fees of \$1,000 from a client, Patrick Feeny, on behalf of his minor child, to represent the minor child in juvenile court proceedings. Respondent failed to perform any legal services after January 30, 2014, and therefore did not earn the advanced fees paid. Respondent failed to refund promptly, upon

1 respondent's termination of employment on or about February 3, 2014 any part of the \$1,000 fee,
2 in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

3 COUNT FOUR

4 Case No. 14-O-02998
5 Business and Professions Code, section 6068(i)
6 [Failure to Cooperate in State Bar Investigation]

7 5. Respondent failed to cooperate and participate in a disciplinary investigation pending
8 against respondent by failing to provide a substantive response to the State Bar's letter of June
9 17, 2014, which respondent received, that requested respondent's response to the allegations of
10 misconduct being investigated in case no. 14-O-02998, in willful violation of Business and
11 Professions Code, section 6068(i).

12 NOTICE - INACTIVE ENROLLMENT!

13 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
14 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
15 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
16 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
17 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
18 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
19 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
20 RECOMMENDED BY THE COURT.**

21 NOTICE - COST ASSESSMENT!

22 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
23 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
24 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING
25 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
26 PROFESSIONS CODE SECTION 6086.10.**

27 Respectfully submitted,

28 THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: November 24, 2014

By: 
Robin Brune
Senior Trial Counsel

