

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED
 NOV 07 2014
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

9
 10 STATE BAR COURT

11 HEARING DEPARTMENT - LOS ANGELES

12
 13 In the Matter of:) Case No. 14-O-03863, 14-O-03919
 14 JOHN VARGAS,)
 No. 270181,) NOTICE OF DISCIPLINARY CHARGES
 15)
 16 A Member of the State Bar)

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**
 27 **FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,**
 28 **RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. JOHN VARGAS ("Respondent") was admitted to the practice of law in the State
4 of California on June 1, 2010, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 14-O-03863
8 Business and Professions Code, section 6068(a)
9 [Failure to Comply With Laws – Unauthorized Practice of Law]

10 2. On or about June 20, 2014, Respondent held himself out as entitled to practice
11 law and actually practiced law when Respondent was not an active member of the State Bar by
12 appearing in court on behalf of his client Iriana Avila in Department R17 of San Bernardino
13 Superior Court, Rancho Cucamonga, in the case entitled *People v. Avila*, San Bernardino
14 Superior Court Case No. MWV 1401164, in violation of Business and Professions Code,
15 sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section
16 6068(a).

16 COUNT TWO

17 Case No. 14-O-03863
18 Business and Professions Code, section 6106
19 [Moral Turpitude]

20 3. On or about June 20, 2014, Respondent held himself out as entitled to practice
21 law and actually practiced law when Respondent knew, or was grossly negligent in not knowing,
22 Respondent was not an active member of the State Bar by appearing in court on behalf of his
23 client Iriana Avila in Department R17 of San Bernardino Superior Court, Rancho Cucamonga, in
24 the case entitled *People v. Avila*, San Bernardino Superior Court Case No. MWV 1401164, and
25 thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation
26 of Business and Professions Code, section 6106.

26 \\\
27 \\\
28 \\\

1 the same court and same matter, and thereby committed an act involving moral turpitude,
2 dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

3 COUNT SIX

4 Case No. 14-O-03919
5 Business and Professions Code, section 6068(i)
6 [Failure to Cooperate in State Bar Investigation]

7 7. Respondent failed to cooperate and participate in a disciplinary investigation
8 pending against Respondent by failing to provide a substantive response to the State Bar's letters
9 of August 25, 2014, and September 18, 2014, which Respondent received, that requested
10 Respondent's response to the allegations of misconduct being investigated in case no. 14-O-
11 03919, in willful violation of Business and 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!

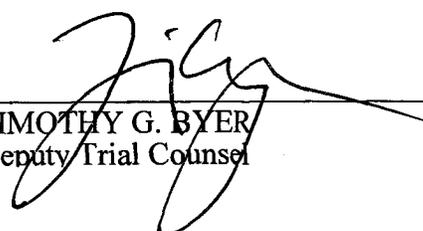
22 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
23 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
24 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING
25 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
26 PROFESSIONS CODE SECTION 6086.10.**

27 Respectfully submitted,

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

DATED: November 7, 2014

By: _____


TIMOTHY G. BYER
Deputy 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-03863, 14-O-03919

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 0911 10 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, Business-Residential Address, Fax Number, Courtesy Copy to:
Row 1: John Vargas, The Law Office of John Vargas, 4129 Main Street, Suite 202, Riverside, CA 92501, Electronic Address

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: November 7, 2014

SIGNED:

Handwritten signature of Jason Peralta over a horizontal line, with the name 'Jason Peralta Declarant' printed below.