

COPY

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED
FEB 11 2015
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

10 STATE BAR COURT

11 HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case No. 14-O-04181
14 DANA ALLAN GODFREY,) NOTICE OF DISCIPLINARY CHARGES
No. 152913,)
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**
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
26 **FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,**
27 **RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. DANA ALLAN GODFREY ("respondent") was admitted to the practice of law in the
4 State of California on June 6, 1991, 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-04181
8 Business & Professions Code, section 6068(a)
9 [Failure to Comply With Laws – Unauthorized Practice of Law]

10 2. On or about July 14, 2014 and July 29, 2014, respondent held himself out as entitled
11 to practice law and actually practiced law when respondent was not an active member of the
12 State by appearing in court on behalf of and representing a party in a marital dissolution
13 proceeding entitled, *Alexander v. Alexander*, Orange County Superior Court, case no.
14 12D001774 and by filing a judgment and notice of Judgment in the same action, in violation of
15 Business and Professions Code, sections 6125 and 6216, and thereby willfully violated Business
16 and Professions Code, section 6068(a).

16 COUNT TWO

17 Case No. 14-O-04181
18 Business & Professions Code, section 6106
19 [Moral Turpitude]

20 3. On or about July 14, 2014 and July 29, 2014, respondent held himself out as entitled
21 to practice law and actually practiced law when respondent knew, or was grossly negligent in not
22 knowing respondent was not an active member of the State Bar by appearing in court on behalf
23 of and representing a party in a marital dissolution proceeding entitled, *Alexander v. Alexander*,
24 Orange County Superior Court, case no. 12D001774 and by filing a judgment and notice of
25 judgment in the same action, and thereby committed an act involving moral turpitude, dishonesty
26 or corruption in willful violation of Business and Professions Code, section 6106.

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COUNT THREE

Case No. 14-O-04181
Business & Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

4. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a substantive response to the State Bar's letters of August 27, 2014 and December 3, 2014, which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 14-O-04181, in willful violation of Business & Professions Code, section 6068(i).

NOTICE - INACTIVE ENROLLMENT!

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

NOTICE - COST ASSESSMENT!

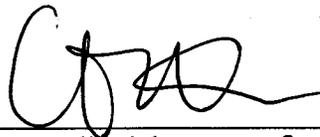
IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: February 11, 2015

By:


Kim Kasrelivich
Deputy Trial Counsel


SUE HOWE, DTC
FOR
KIM KASRELOVICH

DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 14-O-04181

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that I am not a party to the within action; that 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; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of 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; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within:

NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, **Article No.: 9414 7266 9904 2010 0862 39**, at Los Angeles, on the date shown below, addressed to:

**Dana Allan Godfrey
324 S. Diamond Bar Blvd., #194
Diamond Bar, CA 91765**

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: February 11, 2015

Signed: Carmen Corona
Carmen Corona
Declarant