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WILLIAM L. SMITH, No. 137805
IN PRO PER
8412 Kroeger Court
Fair Oaks CA 95628
Telephone: (916) 436-4169

THE STATE BAR COURT
REVIEW DEPARTMENT

| | | |
|----------------------------------|---|--------------------------------------|
| In the Matter of: |) | CASE No. 15-C-13442 |
| |) | |
| |) | |
| WILLIAM LEO SMITH |) | RESPONDENT WILLIAM L. SMITH'S |
| No. 137805 |) | RESPONSE TO NOTICE OF HEARING |
| |) | ON CONVICTION |
| |) | |
| <u>A Member of the State Bar</u> |) | |

To: The Honorable Pat McElroy, and Allen Blumenthal, Senior Trial Counsel:

Pursuant to Section 5.345(B) of the Rules of Procedure of the State Bar Court, Respondent WILLIAM L. SMITH hereby responds to the Notice of Hearing on Conviction dated September 13, 2016.

As the issue of the finality of the respondent's conviction has been determined by the Court to have been established, the sole remaining issue is the determination as to whether either of the violations of which respondent was convicted involved moral turpitude or other misconduct warranting discipline. Respondent concurs with the argument and conclusions of the Senior Trial for the State Bar contained in the State Bar's Response to August 17, 2016, Order to Show Cause which state that the respondent's convictions do not involve moral turpitude per-se for State Bar

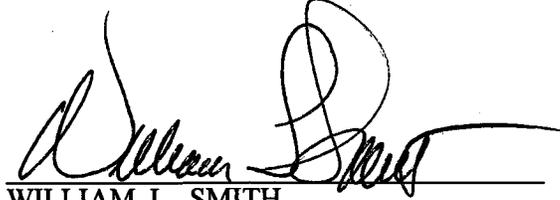
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purposes.

Additionally, respondent contends that the circumstances surrounding the convictions do not involve the practice of law or the involvement of any client or clients of the respondent. The respondent further contends the circumstances surrounding the convictions do not show the deficiency in any character trait necessary for the practice of law (such as trustworthiness, honesty, fairness, candor, and fidelity to fiduciary duties). Further, they do not involve such a serious breach of duty owed to another or to society, or such a flagrant disrespect for the law or for societal norms that knowledge of the attorney's conduct would be likely to undermine public confidence in and respect for the legal profession (*In re Lesansky* (2001) 25 Cal. 4th 11, 16.)

Finally, the respondent, prior to receiving notice of the hearing in this matter, filed a Resignation with Charges Pending with the Clerk of the State Bar Court at the address provided under Rule 9.21(a) of the California Rules of Court. Respondent served a copy of said filing on Allen Blumenthal, Senior Trial Counsel, at the time of filing with the State Bar Court. It is respondent's hope to resolve the issues involved and the appropriate action by the State Bar through the special procedure used for handling said resignations.

Respectfully submitted,



WILLIAM L. SMITH
In Pro Per

PROOF OF SERVICE

I declare that I am a resident of or employed in the County of SACRAMENTO, State of CALIFORNIA. I am over the age of 18 years. The name and address of my residence or business is BERNADETTE SMITH
8412 KROEGER COURT FAIR OAKS, CA 95628.

On 9/27/16, I served ~~the~~ RESPONDENT WILLIAM L.
(Date) (Description of document(s))

SMITH'S RESPONSE TO NOTICE OF HEARING ON CONVICTION
(Description of document(s) continued)

on the parties listed below (include name, address and, where applicable, fax number) by (check the applicable method or methods):

placing a true copy thereof enclosed in a sealed envelope for collection and delivery by the United States Postal Service or private delivery service following ordinary business practices with postage or other costs prepaid;

personal delivery;

facsimile transmission in accordance with the requirements of PERB Regulations 32090 and 32135(d).

(Include here the name, address and, where applicable, fax number of the Respondent and any other parties served.)

GEORGE HUE
CASE ADMINISTRATOR
STATE BAR COURT
180 HOWARD ST
SAN FRANCISCO, CA 94105

ALLEN BILMENTHAL, SR TRIAL
COUNSEL
STATE BAR OF CA
180 HOWARD ST.
SAN FRANCISCO, CA 94105

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 9/27/16, at FAIR OAKS, CA.
(Date) (City) (State)

BERNADETTE SMITH
(Type or print name)

Bernadette Smith
(Signature)