

FILED

AUG 21 2015

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
CHARLES A. MURRAY, No. 146069
845 South Figueroa Street
Los Angeles, California 90017-2515
Telephone: (213) 765-1000



IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE CONVICTION OF: BRIAN DINSMORE GARD, No. 118457 A Member of the State Bar) Case No. 15-C-13689)) Transmittal of Records of Conviction of Attorney (Bus. & Prof.) Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.))) [] Felony;) [] Crime(s) involved moral turpitude;) [] Probable cause to believe the crime(s) involved moral) turpitude;) [X] Crime(s) which may or may not involve moral turpitude or) other misconduct warranting discipline;) [X] Transmittal of Notice of Finality of Conviction.
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To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

- A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of the Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the State Bar and for such consideration and action as the Court deems appropriate:
- B. Notice of Appeal
- C. Evidence of Finality of Conviction (Case Print Docket certified on August 10, 2015)
- D. Other

Name of Member: Brian Dinsmore Gard

Date member admitted to practice law in California: June 14, 1985

Member's Address of Record: Law Office Brian D. Gard
110 W "C" St., Ste. 1709
San Diego, CA 92101

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named member of the State Bar was convicted as follows:

Date of entry of conviction: January 28, 2015

Convicting court: Superior Court of California, County of Riverside

Case number(s): INM1407985

Crime(s) of which convicted and classification(s): Violation of Vehicle Code § 23152(b) (DUI with Blood Alcohol Content of .08% or More), one count, a misdemeanor which may or may not involve moral turpitude as in *In re Kelley* (1990) 52 Cal. 3d 487; Vehicle Code § 12500 (a) (Unlicensed Operator), one count, a misdemeanor which may or may not involve moral turpitude.

3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.

4. Other information to assist the State Bar Court

On January 28, 2015, the complaint was orally amended by interlineation to add Vehicle Code § 12500(a) (Unlicensed Operator), a misdemeanor as count four. Subsequently, Respondent pled guilty to counts two and the added count four. The remaining counts were dismissed. Since this court does not complete the State Bar's Notice of Lack of Appeal form, the Case Print Docket is being presented as proof that no party has filed an appeal within 30 days after pronouncement of Judgment on January 28, 2015 (See Cal, Rules of Court, rule 8.853) or within 60 days after pronouncement of Judgment (See Cal. Rules of Court, rule 8.308).

DOCUMENTS TRANSMITTED:

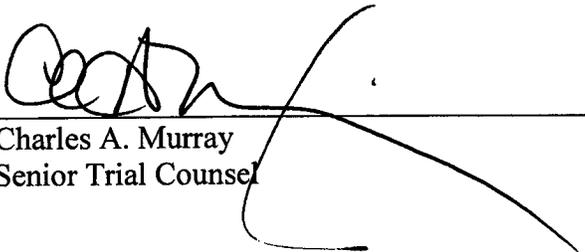
Complaint
Plea Form
Sentencing Memorandum
Case Print Docket

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED:

8/18/2015

BY:



Charles A. Murray
Senior Trial Counsel

A copy of this transmittal and its
Attachments have been sent to:

Brian Dinsmore Gard
Law Office Brian D. Gard
110 W "C" St., Ste. 1709
San Diego, CA 92101

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 15-C-13689

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

Transmittal of Records of Conviction of Attorney; Complaint; Plea Form; Sentencing Memorandum; Case Print Docket

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2010 0713 65, at Los Angeles, on the date shown below, addressed to:

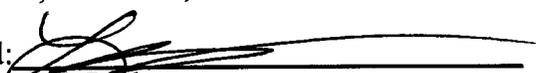
**Brian Dinsmore Gard
Law Office Brian D. Gard
110 W. "C" Street, Ste. 1709
San Diego, CA 92101**

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

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: August 21, 2015

Signed: 
Lupe Pacheco
Declarant