

PUBLIC MATTER

STATE BAR OF CALIFORNIA
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FILED

FEB 18 2015

STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

STATE BAR COURT

HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of:)	Case No. 15-O-10254
GERALD WILLIAM FILICE,)	NOTICE OF DISCIPLINARY CHARGES
No. 99657,)	
)	
A Member of the State Bar)	

NOTICE - FAILURE TO RESPOND!

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

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

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. GERALD WILLIAM FILICE ("respondent") was admitted to the practice of law in
4 the State of California on December 1, 1981, was a member at all times pertinent to these
5 charges, and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 15-O-10254
8 Business and Professions Code, section 6068(k)
[Failure to Comply With Conditions of Probation]

9 2. Respondent failed to comply with conditions attached to respondent's disciplinary
10 probation in State Bar Case no. 12-O-17874-PEM [12-H-18229] as follows, in willful violation
11 of Business and Professions Code, section 6068(k):

- 12 A. Failing to submit a quarterly report by its due date of January 10, 2015;
13 B. Failing to submit a Client Funds Certificate by its due date of January 10,
14 2015;
15 C. Failing to provide to the Office of Probation satisfactory proof of attendance
16 at a session of Ethics School, and passage of the test given at the end of that
17 session, by its due date of November 28, 2014; and
18 D. Failing to provide to the Office of Probation satisfactory proof of attendance
19 at a session of Client Trust Accounting School, and passage of the test given
20 at the end of that session, by its due date of November 28, 2014.

21 NOTICE - INACTIVE ENROLLMENT!

22 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
23 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
24 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
25 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
26 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
27 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
28 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
RECOMMENDED BY THE COURT.**

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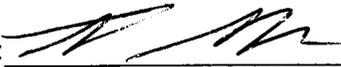
NOTICE - COST ASSESSMENT!

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 18, 2015

By: 
HEATHER E. ABELSON
Deputy Trial Counsel

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DECLARATION OF SERVICE
BY CERTIFIED AND REGULAR MAIL

CASE NO.: 15-O-10254

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, 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 San Francisco, 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*, and in an additional sealed envelope as *regular mail*, at San Francisco, on the date shown below, addressed to:

Article No.: 9414 7266 9904 2011 9751 50

Gerald William Filice
2443 Fair Oaks Blvd., # 125
Sacramento, CA 95825

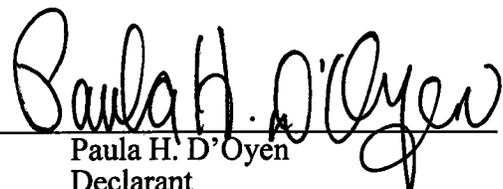
in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

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 San Francisco, California, on the date shown below.

DATED: February 18, 2015

Signed: _____


Paula H. D'Oyén
Declarant