

(Do not write above this line.)

**State Bar Court of California
Hearing Department
San Francisco
ACTUAL SUSPENSION**

<p>Counsel For The State Bar</p> <p>Esther J. Rogers Senior Trial Counsel 180 Howard Street San Francisco, CA 94105 (415) 538-2258</p> <p>Bar # 148246</p>	<p>Case Number(s): 15-O-10337; 15-O-12313; 15-O-12546-LMA</p>	<p>For Court use only</p> <p>PUBLIC MATTER</p> <p>FILED <i>[Signature]</i></p> <p>APR 13 2016</p> <p>STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>In Pro Per Respondent</p> <p>Gabriel Gerardo Castillo Law Office of Gabriel Castillo 433 Tudor Way Salinas, CA 93906 (831) 261-5257</p> <p>Bar # 256748</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: GABRIEL GERARDO CASTILLO</p> <p>Bar # 256748</p> <p>A Member of the State Bar of California (Respondent)</p>		

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **June 9, 2008**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **13** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

[Handwritten initials]

(Effective July 1, 2015)

kwiktag® 197 149 502



Actual Suspension

(Do not write above this line.)

- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
 - Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: **Two billing cycles following the effective date of discipline in this matter.** (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline**
 - (a) State Bar Court case # of prior case
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3) **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by, misrepresentation.
- (4) **Concealment:** Respondent's misconduct was surrounded by, or followed by, concealment.
- (5) **Overreaching:** Respondent's misconduct was surrounded by, or followed by, overreaching.
- (6) **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code, or the Rules of Professional Conduct.

(Do not write above this line.)

- (7) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (8) **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct. **See Attachment, p. 10.**
- (10) **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11) **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing. See Attachment, p. 10.
- (12) **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13) **Restitution:** Respondent failed to make restitution.
- (14) **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standards 1.2(i) & 1.6]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not likely to recur.
- (2) **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct or to the State Bar during disciplinary investigations and proceedings.
- (4) **Remorse:** Respondent promptly took objective steps demonstrating spontaneous remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony

(Do not write above this line.)

would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.

- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

Pretrial Stipulation. See Attachment, p. 10 .
Civic and Volunteer Service. See Attachment, p. 10.

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of **one year**.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and fitness to practice and present learning and ability in the general law pursuant to standard 1.2(c)(1) Standards for Attorney Sanctions for Professional Misconduct.
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:
- (b) The above-referenced suspension is stayed.
- (2) **Probation:**
- Respondent must be placed on probation for a period of **two years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)
- (3) **Actual Suspension:**
- (a) Respondent must be actually suspended from the practice of law in the State of California for a period of **ninety days**.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and fitness to practice and present learning and ability in the general law pursuant to standard 1.2(c)(1), Standards for Attorney Sanctions for Professional Misconduct

(Do not write above this line.)

- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and present learning and ability in the general law, pursuant to standard 1.2(c)(1), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.

No Ethics School recommended. Reason: .

(Do not write above this line.)

- (9) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
- No MPRE recommended. Reason:
- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:**

status of her U Visa application. Although respondent received the telephone messages, respondent failed to respond to them and failed to provide Virginia R. with a status update.

8. Sometime in 2014, Virginia R. happened to run into respondent at a UPS store. At that time, Virginia R. requested that respondent refund the entire advanced fee, which respondent indicated that he would. However, respondent failed to provide the refund.

9. On February 23, 2015, respondent informed the State Bar that he had sent Virginia R. a refund by check number 1044 in the amount of \$1,500. However, when respondent represented to the State Bar that he had provided Virginia R. with a refund, respondent knew he had not sent any refund to Virginia R.

10. After the State Bar contacted respondent in June 2015 to inform him that Virginia R. had not received a refund, respondent refunded the \$1,500 via the same check number, check number 1044. Therefore, respondent made a misrepresentation to the State Bar when he claimed he had issued a refund to Virginia R. in February via check number 1044, when respondent knew that he had not provided Virginia R. with the refund until June 2015.

CONCLUSIONS OF LAW:

11. By failing to submit documentation to the District Attorney's Office regarding Virginia R.'s U Visa application and failing to file the visa application, respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

12. By failing to promptly respond to Virginia R.'s numerous telephonic status requests, which she made between March 2013 and September 2013, for an update regarding her U Visa, respondent failed to respond to reasonable status inquiries that respondent received in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Profession Code section 6068(m).

13. By waiting until June 2015 to refund the \$1,500 that Virginia R. paid in advanced fees for assistance with her U Visa application, respondent failed to promptly refund, upon respondent's termination of services in October 2013, the unearned advanced fees respondent received from Virginia R., in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

14. By misrepresenting to Virginia R. that he had submitted the paperwork to the District Attorney's Office and by misrepresenting the State Bar that respondent had refunded the unearned fees to Virginia R. in February 2015, respondent engaged in acts of moral turpitude, dishonesty and corruption, in willful violation of Business and Profession Code section 6106.

Case No. 15-O-12313 (Complainant: Raul Gomez Becerra)

FACTS:

15. Raul Becerra hired respondent on January 30, 2015 to expunge Becerra's domestic violence misdemeanor conviction, and paid respondent an advanced fee of \$600. On about January 30, 2015, respondent drafted, but did not file, a petition to expunge Becerra's conviction. Thereafter, respondent failed to perform any further services for Becerra.

16. Between February 2015 and April 2015, Becerra regularly called and visited respondent's office to obtain a status update on his matter. Respondent received the telephone messages, but failed to respond to them and failed to provide Becerra with a status update. Becerra terminated respondent's services in April 2015.

17. At the time of his termination, respondent had not earned all of the advanced fees he received.

18. After Becerra filed a State Bar complaint, respondent refunded the \$500 to Becerra in June 2015.

CONCLUSIONS OF LAW:

19. By failing to finalize and file the petition to expunge Becerra's criminal conviction, respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

20. By failing to promptly respond to Becerra's numerous telephonic status requests, which he made between March 2015 and April 2015, for an update regarding the petition to expunge Becerra's conviction, respondent failed to respond to reasonable status inquiries that respondent received in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Profession Code section 6068(m).

21. By waiting until June 2015 to refund the unused portion of the advanced fees respondent received from Becerra, respondent failed to promptly refund, upon respondent's termination of services in April 2015, the unearned advanced fees respondent received from Becerra, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 15-O-12546 (Complainant: Angel Juarez)

FACTS:

22. In April 2013, Juarez hired respondent to represent him in the pending deportation/removal proceeding and paid respondent advanced fees of \$4,000.

23. Between May 2013 and July 2013, Juarez paid respondent an additional \$4,000, for a total payment of \$8,000 in advanced fees.

24. Between April 2013 and October 2013, respondent performed some services for Juarez.

25. In November 2014, Juarez attempted to contact respondent to discuss his upcoming November 18, 2014 immigration hearing, but respondent failed to respond to Juarez.

26. Juarez appeared for the hearing on November 18, 2014, but respondent failed to appear. At the courthouse, Juarez was able to immediately employ another immigration attorney, Nikhil Bhatnagar, who was appearing on a separate matter.

27. Immediately prior to Juarez's appearance at the November 18, 2014 hearing, Bhatnagar agreed to seek a continuance so Bhatnagar could substitute into the matter. That same day, Juarez terminate respondent and hired Bhatnagar to represent him in the pending immigration matter. Juarez paid Bhatnagar advanced fees of \$6,000.

28. At the time respondent was terminated, respondent had not earned all of the advanced fees he received.

29. After the State Bar contacted respondent in July 2015 to inform him of Juarez's State Bar complaint, respondent provided Juarez an accounting and refunded \$6,000 to Juarez.

CONCLUSIONS OF LAW:

30. By failing to respond to Juarez's messages regarding the November 18 hearing, failing to notify Juarez that he was not attending the November 18 hearing, and by failing to appear at the November 18 hearing, respondent withdrew from employment without taking reasonable steps to avoid foreseeable prejudice to his client's rights, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

31. By waiting until June 2015 to refund the unused portion of the advanced fees respondent received from Juarez, respondent failed to promptly refund, upon respondent's termination of services in November 2014, the unearned advanced fees respondent received from Juarez, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

AGGRAVATING CIRCUMSTANCES.

Multiple Acts (Std. 1.5(b)): Respondent's failures to perform, failures to communicate, failures to return unearned fees and misrepresentations comprise multiple acts.

Indifference (Std. 1.5(g)): By waiting to return the unearned fees until the State Bar notified respondent that his former clients had filed complaints, respondent displayed indifference.

MITIGATING CIRCUMSTANCES.

Pretrial Stipulation: Respondent is entitled to mitigation credit for entering into a full stipulation with the Office of Chief Trial Counsel, thereby saving the State Bar Court time and resources. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability].)

Civic and Volunteer Service: Respondent has performed pro bono services on behalf of several immigration clients, previously volunteered at the Centro Legal de la Raza and currently is a pastor, providing biblical and spiritual guidance to community members. (*Calvert v. State Bar* (1991) 54 Cal.3d 765, 785 [pro bono work and community service may mitigate an attorney's misconduct].)

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct "set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing

with similar misconduct and surrounding circumstances.” (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to Standards are to this source.)

The Standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a Standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) “Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure.” (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given standard, in addition to the factors set forth in the specific standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member’s willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

Where respondents commit multiple acts of professional misconduct, Standard 1.7(a) requires that when the Standards specify different sanctions for each act, the most severe sanction must be imposed. Standard 2.7, which applies to respondent’s misrepresentations to the State Bar and his client, calls for disbarment or actual suspension, dependent upon the magnitude of the misconduct and the extent to which the misconduct harmed or misled the victim and related to the practice of law. Standard 2.5, which applies to respondent’s multiple matters involving failure to perform, is also applicable and it calls for an actual suspension.

Here, in two client matters, respondent failed to perform, failed to return unearned fees, and failed to communicate. In a third matter, failed to return unearned fees and abandoned his client. Additionally, respondent made misrepresentations to Virginia R. and the State Bar. Those misrepresentations were connected to the practice of law. On balance, the extent of the aggravation outweighs the mitigation. Pursuant to the Standards, respondent should receive an actual suspension. Given the multiple violations, coupled with the two misrepresentations, a mid-level suspension is appropriate. On balance, a 90-day actual suspension will protect the public, the courts, and the legal profession, maintain high professional standards, and preserve the public’s confidence in the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed Respondent that as of April 2016, the prosecution costs in this matter are approximately \$5,600. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

EXCLUSION FROM MCLE CREDIT

Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: GABRIEL GERARDO CASTILLO	Case number(s): 15-O-10337; 15-O-12313; 15-O-12546
--	--

SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

<u>04/05/16</u> Date	<u><i>Gabriel Castillo</i></u> Respondent's Signature	<u>GABRIEL GERARDO CASTILLO</u> Print Name
<u>4/7/16</u> Date	<u><i>Esther J. Rogers</i></u> Deputy Trial Counsel's Signature	<u>ESTHER J. ROGERS</u> Print Name

(Do not write above this line.)

In the Matter of: GABRIEL GERARDO CASTILLO	Case Number(s): 15-O-10337; 15-O-12313; 15-O-12546
---	---

ACTUAL SUSPENSION ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

Date April 13, 2016

Pat E. McElroy
PAT E. MCELROY
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on April 13, 2016, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

in a sealed envelope for collection and mailing on that date as follows:

- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

GABRIEL G. CASTILLO
LAW OFFICE OF GABRIEL CASTILLO
137 CENTRAL AVE STE 6
SALINAS, CA 93901

COURTESY COPY:
GABRIEL GERARDO CASTILLO
433 TUDOR WAY
SALINAS, CA 93906

- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

ESTHER ROGERS, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on April 13, 2016.



Bernadette Molina
Case Administrator
State Bar Court