

FILED

SEP 17 2015

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

**PUBLIC MATTER**

1 STATE BAR OF CALIFORNIA  
2 OFFICE OF CHIEF TRIAL COUNSEL  
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4 CHIEF TRIAL COUNSEL  
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STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of: ) Case No. 15-O-10710  
13 JOHN LELAND DiFIORE )  
14 No. 136971, ) NOTICE OF DISCIPLINARY CHARGES  
15 A Member of the State Bar )  
16 )  
17 )

**NOTICE - FAILURE TO RESPOND!**

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

- 21 (1) **YOUR DEFAULT WILL BE ENTERED;**  
22 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**  
23 **WILL NOT BE PERMITTED TO PRACTICE LAW;**  
24 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER**  
25 **IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY**  
26 **MOTION AND THE DEFAULT IS SET ASIDE, AND;**  
27 (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.**

1 The State Bar of California alleges:

2 JURISDICTION

3 1. Respondent John Leland DiFiore was admitted to the practice of law in the State  
4 of California on December 7, 1988, was a member at all times pertinent to these charges, and  
5 is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 15-O-10710

8 Business and Professions Code section 6106  
[Moral Turpitude - Misrepresentation]

9 2. On or about April 12, 2012, October 4, 2012 and January 7, 2013, Respondent  
10 stated in writing to the Office of Probation of the State Bar of California, the following, when  
11 Respondent knew or was grossly negligent in not knowing the statements were false, and  
12 thereby committed an act involving moral turpitude, dishonesty or corruption in wilful  
13 violation of Business and Professions Code section 6106:

14 I have complied with all provisions of the State Bar Act, Rules of  
15 Professional Conduct, and all conditions of probation; and during the  
16 preceding calendar quarter, there were no proceedings pending against  
17 me in the State Bar Court, or if there were, I have attached my  
18 declaration, signed under penalty of perjury, regarding my pending  
proceedings(s) in State Bar Court including the case number(s), and  
current status.

19 I have complied with the conditions of probation/parole imposed upon  
20 me in the underlying criminal matter during the preceding calendar  
quarter.

21 COUNT TWO

22 Case No. 15-O-10710

23 Business and Professions Code section 6068(o)(5)  
[Failure to Report Criminal Felony Conviction]

24 3. Respondent failed to report to the agency charged with attorney discipline, in  
25 writing, within 30 days of the time Respondent had knowledge of his conviction of October  
26 11, 2012, in Orange County Superior Court, case no. 12-WF-1391, of one felony violation of  
27 Vehicle Code section 23152(a) (driving under the influence of alcohol or drugs with three or  
28 more priors), in wilful violation of Business and Professions Code section 6068(o)(5).

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COUNT THREE

Case No. 15-O-10710

Business and Professions Code section 6068(a)  
[Failure to Comply With Laws – Unauthorized Practice of Law]

4. On or about December 14, 2014, Respondent held himself out as entitled to practice law when Respondent was not an active member of the State Bar, by sending an attorney-client agreement to Kaga Electronics offering to provide legal services to the company in violation of Business and Professions Code sections 6125 and 6126, and thereby Respondent wilfully violated Business and Professions Code section 6068(a).

COUNT FOUR

Case No. 15-O-10710

Business and Professions Code section 6106  
[Moral Turpitude]

5. On or about December 14, 2014, Respondent held himself out as entitled to practice law when Respondent was not an active member of the State Bar, when he knew, or was grossly negligent in not knowing, he was not eligible to practice law, by sending an attorney-client agreement to Kaga Electronics offering to provide legal services to the company, and thereby engaged in acts involving moral turpitude, dishonesty or corruption in wilful violation of Business and Professions Code section 6106.

**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.**

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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: September 17, 2015

By: 

Erin McKeown Joyce  
SENIOR TRIAL COUNSEL

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DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 15-O-10710

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES

By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a)) - 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.

By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))

By Overnight Delivery: (CCP §§ 1013(c) and 1013(d)) - I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').

By Fax Transmission: (CCP §§ 1013(e) and 1013(f)) Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

By Electronic Service: (CCP § 1010.6) Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)

(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 71969008911170019995 at Los Angeles, addressed to: (see below)

(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to: Row 1: John L. DiFiore, 1938 W Jacarada Pl Fullerton, CA 92833, Electronic Address, john.difiore@yahoo.com

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

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, and overnight delivery by the United Parcel Service ('UPS'). 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, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the 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.

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: September 17, 2015

SIGNED: [Signature] JOEL JENEWEIN Declarant