

ORIGINAL

PUBLIC MATTER

STATE BAR OF CALIFORNIA
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FILED

MAR 28 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:) Case No. 15-O-13425
JOSE ARTURO RODRIGUEZ,) NOTICE OF DISCIPLINARY CHARGES
No. 116541,)
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. Jose Arturo Rodriguez (“respondent”) was admitted to the practice of law in the State
4 of California on December 28, 1984, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 15-O-13425
8 Business and Professions Code section 6103
9 [Failure to Obey a Court Order]

10 2. Respondent disobeyed or violated an order of the court requiring respondent to do, or
11 forbear, an act connected with or in the course of respondent’s profession, which respondent
12 ought in good faith do or forbear, by failing to comply with the court’s minute order dated April
13 15, 2014, which required that respondent pay a sanction of \$3,000 in the case entitled *Javier*
14 *Miramontes et al. v. California Rural Legal Assistance, Inc. et al.*, Riverside County Superior
15 Court case number INC1302881, in willful violation of Business and Professions Code, section
16 6103.

17 COUNT TWO

18 Case No. 15-O-13425
19 Business and Professions Code section 6068(o)(3)
20 [Failure to Report Judicial Sanctions]

21 3. Respondent failed to report to the agency charged with attorney discipline, in writing,
22 within 30 days of the time respondent had knowledge of the imposition of judicial sanctions
23 against respondent by failing to report to the State Bar the \$3,000 in sanctions the court imposed
24 on respondent on April 15, 2014 in connection with *Javier Miramontes et al. v. California Rural*
25 *Legal Assistance, Inc. et al.*, Riverside County Superior Court case number INC1302881, in
26 willful violation of Business and Professions Code section, 6068(o)(3).

27 NOTICE - INACTIVE ENROLLMENT!

28 **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**

1 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
2 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
3 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
4 RECOMMENDED BY THE COURT.

5 NOTICE - COST ASSESSMENT!

6 IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
7 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
8 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING
9 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
10 PROFESSIONS CODE SECTION 6086.10.

11 Respectfully submitted,

12 THE STATE BAR OF CALIFORNIA
13 OFFICE OF THE CHIEF TRIAL COUNSEL

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DATED: March 28, 2016 By: Sherell N. McFarlane

Sherell N. McFarlane
Deputy Trial Counsel

DECLARATION OF SERVICE

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

CASE NUMBER(s): 15-O-13425

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 90017-2515, 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))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

- (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.: 9414 7266 9904 2010 0829 96 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, and an empty column. Row 1: Jose Arturo Rodriguez, Arturo Rodriguez 84426 N. Sienna Cir Coachella, CA 92236, Electronic Address.

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').

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: March 28, 2016

SIGNED: Sandra Reynolds
Sandra Reynolds
Declarant