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State Bar Court of California Hearing Department San Francisco ACTUAL SUSPENSION		
Counsel For The State Bar Erica L. M. Dennings Senior Trial Counsel 180 Howard Street San Francisco, California 94105 Telephone: (415) 538-2285 Bar # 145755	Case Number(s): 15-O-13778	For Court use only PUBLIC MATTER FILED SEP 19 2016 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In Pro Per Respondent Emory Luther King P.O. Box 371 Carmichael, California 95609-0371 Telephone: (916) 952-1874 Bar # 71491	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: Emory Luther King Bar # 71491 A Member of the State Bar of California (Respondent)		

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 **December 22, 1976.**
- (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 11 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."



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- (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: (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. **See attachment to stipulation, at p. 8.**
- (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.
- (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.

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- (8) **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice. See attachment to stipulation, at p. 8.
- (9) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (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.
- (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. See attachment to stipulation at p. 8.
- (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. See attachment to stipulation at p. 8.
- (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 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.

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- (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:

No Prior Discipline: See Attachment to Stipulation, at p. 8.
Profiling Stipulation: See Attachment to Stipulation, at p. 8.
Good Character: See Attachment to Stipulation, at p. 8.

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of **two (2) years**.
- 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 (2) 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 **six (6) months**.
- 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

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- 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:

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- (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:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: EMORY LUTHER KING

CASE NUMBER: 15-O-13778

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 15-O-13778 (Complainant: Sierra Lillard)

FACTS:

1. In November 2014, respondent was assigned to represent Sierra Lillard ("Lillard") in a criminal case in which she was charged with three felonies and in which there was a co-defendant: *People v. Hampton and Lilleard* [sic], Sacramento Superior Court case number 14F05926. Respondent was a member of the Sacramento County Bar Association Indigent Defense Panel. The Indigent Defense Panel has an agreement with Sacramento County to provide criminal defense for indigent criminal defendants who cannot be represented by the Public Defender's Office.
2. A preliminary hearing was scheduled to be continued the morning of Friday, July 24, 2015. On the evening of July 23, 2015, respondent called Lillard and asked her to come to his house as previously agreed. Lillard declined to come to respondent's house.
3. On July 25, 2015, respondent sent another attorney to appear on Lillard's behalf for the preliminary hearing. The preliminary hearing was continued.
4. After the hearing, respondent called Lillard to determine how the hearing went and also asked her to come over to his house and "bring some Viagra for this old man." Respondent told Lillard that it would be bad for her if she did not come over. Lillard was 22 years old, a single parent of a young child, and had never before had criminal charges brought against her. She believed she had to go to respondent's house to discuss her case.
5. Later that evening, Lillard went to respondent's house. After Lillard asked respondent how long he thought the case would last, respondent demanded sexual intercourse with Lillard and conditioned his continued representation of her on her having sex with him. Lillard did not give into respondent's demands and left respondent's house. On Monday, July 27, 2015, Lillard reported respondent's conduct to the Conflict Criminal Defenders Office. After being informed that Lillard had reported his conduct, respondent resigned from the Indigent Defense Panel and all his other cases were reassigned to other attorneys.

CONCLUSIONS OF LAW:

6. By demanding that his client have sexual relations with him as a condition to him continuing to represent her, respondent wilfully violated Rules of Professional Conduct, rule 3-120(B)(1).

7. By demanding that his client have sexual relations with him as a condition to him continuing to represent her, respondent committed an act of moral turpitude in wilful violation of Business and Professions Code, section 6106.

AGGRAVATING CIRCUMSTANCES.

Std. 1.5(d) intentional misconduct, bad faith or dishonesty: Respondent called his client to his home under the pretense to discuss her case.

Std. 1.5(j) significant harm to the client, the public, or the administration of justice: Respondent significantly harmed his client, the public and the administration of justice by failing to uphold his fiduciary duties as a public defender. His client believed that respondent would not adequately represent her unless she had sexual relations with him. Respondent's abuse of power has negatively impacted the reputation of the Conflict Criminal Defenders organization and the public trust in attorneys and the justice system.

Std. 1.5(n) high level of vulnerability of the victim: Respondent's client was a young, indigent, single mother facing felony charges. This was her first time in the criminal justice system. She felt victimized by respondent whose duty was to advocate on her behalf.

MITIGATING CIRCUMSTANCES.

Std. 1.6(g) prompt objective steps, demonstrating spontaneous remorse and recognition of the wrongdoing and timely atonement: Upon being confronted with the allegations, respondent resigned from his position as an Indigent Defense Panel attorney and relinquished his cases for reassignment.

No prior discipline: Respondent was admitted to the practice of law in California in December 1976 and has no prior record of discipline. Respondent is entitled to significant mitigation for having practiced law for 38 years without discipline. (*In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, 49.)

Prefiling stipulation: By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*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].)

Good character: Respondent has provided letters from four character witnesses (three attorneys and one judge) who are aware of the full extent of the misconduct attesting to his good character. Although four letters is insufficient to constitute evidence of extraordinary good character, he is entitled to limited mitigation credit for good character. (*In the Matter of Kreitenberg* (Review Dept. 200) 4 Cal. State Bar Ct. Rptr. 469, 476-477.)

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 Silverton* (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).)

In this matter, respondent’s misconduct violated Rule 3-120(B)(1) and section 6106 when he demanded sex from his client in order to continue representing her. Therefore, standards 2.11, relating to acts involving moral turpitude and 2.13, relating to sexual relations with clients apply. Standard 2.11 states that disbarment or suspension is the presumed sanction. The degree of sanction depends on the magnitude of the misconduct, the extent to which the misconduct harmed or misled the victim, the impact on the administration of justice and the extent to which the misconduct related to the member’s practice of law. Standard 2.13 provides that disbarment is the presumed sanction when a member requires or demands sexual relations with a client incident to or as a condition of professional representation or employs coercion, intimidation, or undue influence in entering into sexual relations with a client.

The client was vulnerable because she was a young, single mother charged with felony assault. This was her first encounter with the criminal justice system and she was afraid for what might happen to her and her young child. Respondent took advantage of her and betrayed the trust she put in him by abusing his power as an experienced attorney who could impact the outcome of her case.

Although there is no published California attorney discipline case on the issue of sexual conduct with a client, the Review Department has addressed the disciplinary implications of exploiting a vulnerable client in *In the Matter of Dale* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 798. Dale cajoled an incarcerated man into giving a confession about an arson fire in an apartment building, despite the fact that the voluntariness of the man’s earlier confession was the issue on which he was

appealing his second degree murder conviction. The Review Department found that it was especially troubling that Dale took advantage of an incarcerated young man. Dale used the incarcerated young man's vulnerability to his own client's advantage and caused lasting harm. Although the young man was not his client, Dale caused a rift between the young man and his attorney. (*Ibid.*) Dale was actually suspended for four months.

Because there is no published attorney discipline case law in California regarding sex with clients, we look to other jurisdictions for cases discussing similar factual scenarios, aggravating and mitigating circumstances, and the appropriate level of discipline. Cases with misconduct most similar to this case imposed discipline ranging from a public reprimand to a one-year actual suspension (*In the Matter of James V. Tsoutsouris* (Ind. 2001) 748 N.E.2d 856 [30-day actual suspension for engaging in a sexual relationship with a client in a marital dissolution matter]; *In the Matter of Disciplinary Proceedings Against Donald J. Kraemer* (Wis. 1996) 547 N.W.2d 186 [six-month actual suspension for sexual relations with a client in a civil matter]; and *Iowa Supreme Court Board of Professional Ethics and Conduct v. Ralph William Hill* (Iowa 1995) 540 N.W.2d 43 [one-year actual suspension for unwelcome sexual advances toward an incarcerated female client].)

The cases which resulted in disbarment were generally when an attorney engaged in sexual relations with multiple clients (*In re David J. Hassenstab* (1997) 325 Ore. 166 [disbarment for sexual relations with indigent clients who feared their legal matters would be jeopardized if they refused to engage in sex with the attorney]; *People of the State of Colorado v. John J. Gibbons* (Colo. 1984) 685 P.2d 168 [disbarment for conflict of interest in representing multiple co-defendants, for inappropriate sexual relationship with one of the female co-defendants who was unduly dependent on the attorney and unable to exercise free choice, and for false and misleading information]; and *In the Matter of Jerry L. Berg* (1998) 264 Kan. 254 [disbarment for engaging in sexual conduct with three vulnerable clients who had mental and substance abuse problems and who allowed the attorney's advances as a necessity to protect their representation].)

Respondent's misconduct is less egregious than that of the attorneys in *Hassenstab*, *Gibbons*, and *Berg* and more similar to that of that of the attorneys in *Tsoutsouris*, *Kraemer*, and *Hill* because there was only one incident involving one client, the client was not incarcerated, and the representation ended immediately after the demand. Therefore, there was no sexual relationship. Furthermore, respondent has been in practice since 1976 with no prior record of discipline, relinquished his cases with the Conflict Criminal Defenders immediately after the victim's report of the incident, and has provided character references. Considering the facts and mitigating and aggravating circumstances, the appropriate discipline should include significant actual suspension. Therefore, six months' actual suspension, two years' suspension, stayed, and two years' probation with standard conditions of probation is an appropriate disposition.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of August 19, 2016, the prosecution costs in this matter are \$3,869. 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 MINIMUM CONTINUING LEGAL EDUCATION ("MCLE") CREDIT

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

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In the Matter of: EMORY LUTHER KING	 15-O-13778
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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.

9/9/2016
Date


Respondent's Signature

Emory Luther King
Print Name

12 September 2016
Date


Senior Trial Counsel's Signature

Erica L. M. Dennings
Print Name

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In the Matter of: EMORY LUTHER KING	Case Number(s): 15-O-13778
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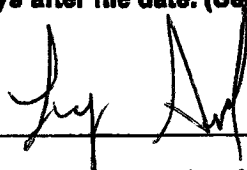
ACTUAL SUSPENSION ORDER

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.)

Sept. 19, 2016
Date


Judge of the State Bar Court

LUCY ARMENDARIZ

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 September 19, 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:

EMORY LUTHER KING, JR.
PO BOX 371
CARMICHAEL, CA 95609 - 0371

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

ERICA L. M. DENNINGS, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on September 19, 2016.



Bernadette Molina
Case Administrator
State Bar Court