

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED
MAY 13 2016
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case Nos. 15-O-14340 and 15-O-14347
 14 MICHAEL LEE GOOLSBY,)
 15 No. 159660,) NOTICE OF DISCIPLINARY CHARGES
 16 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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The State Bar of California alleges:

JURISDICTION

1. Michael Lee Goolsby ("respondent") was admitted to the practice of law in the State of California on August 4, 1992, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 15-O-14340
Business and Professions Code section 6068(k)
[Failure to Comply with Conditions of Probation]

2. Respondent failed to comply with conditions attached to respondent's disciplinary probation in State Bar Case no. 13-O-14919, as follows, in willful violation of Business and Professions Code section 6068(k):

- A. Failing to contact the Office of Probation to schedule a meeting within 30 days from the effective date of the discipline;
- B. Failing to timely submit the quarterly reports due by July 10, 2015, October 10, 2015 and January 10, 2016 to the Office of Probation; and
- C. Failing to pay the minimum quarterly payment of \$812.50 for restitution and submit proof of same to the Office of Probation by July 10, 2015, October 10, 2015 and January 10, 2016.

COUNT TWO

Case No. 15-O-14347
Business and Professions Code section 6068(k)
[Failure to Comply with Conditions of Probation]

3. Respondent failed to comply with conditions attached to respondent's disciplinary probation in State Bar Case no. 12-O-14347, as follows, in willful violation of Business and Professions Code section 6068(k):

- A. Failing to contact the Office of Probation to schedule a meeting within 30 days from the effective date of the discipline;

- 1 B. Failing to timely submit the quarterly reports due by October 10, 2013; April 10,
2 2014; July 10, 2014; October 10, 2014; January 10, 2015; and April 10, 2015 to
3 the Office of Probation;
- 4 C. Failing to submit the final quarterly report due by August 30, 2015 to the Office
5 of Probation;
- 6 D. Failing to report two changes of address to the Office of Probation within ten days
7 of any change; and
- 8 E. Failing to attend State Bar Ethics School, pass the test at the end of Ethics School
9 and submit proof of same to the Office of Probation by August 30, 2014.

10 COUNT THREE

11 Case No. 15-O-14347
12 Business and Professions Code section 6106
13 [Moral Turpitude - Misrepresentation]

14 4. Respondent committed acts involving moral turpitude, dishonesty or corruption in
15 willful violation of Business and Professions Code section 6106 by submitting written quarterly
16 reports to the Office of Probation in connection with his disciplinary probation imposed in State
17 Bar case number 12-O-17100, in which he made false statements under penalty of perjury when
18 he knew or was grossly negligent in not knowing that the statements were false as follows:

- 19 A. On or about August 12, 2014, respondent submitted the quarterly report that was
20 due on July 10, 2014 in which he stated that he had complied with all conditions
21 of his disciplinary probation during the reporting period (April 1, 2014 – June 30,
22 2014) and that he had advised the Office of Probation of any change of address
23 within ten days of any such change, when respondent knew or was grossly
24 negligent in not knowing that the statements were false in that during the
25 reporting period he had failed to timely submit the quarterly report that was due
26 on April 10, 2014 and had failed to advise the Office of Probation about his
27 change of address as required by the terms of his probation;
- 28 B. On or about October 30, 2014, respondent submitted the quarterly report that was
due on October 10, 2014 in which he stated that he had complied with all

1 conditions of his disciplinary probation during the reporting period (July 1, 2014
2 – September 30, 2014), when respondent knew or was grossly negligent in not
3 knowing that the statement was false in that during the reporting period he had
4 failed to timely submit the quarterly report that was due on July 10, 2014 and had
5 failed to submit satisfactory proof of having completed State Bar Ethics School by
6 August 30, 2014, as required by the terms of his probation; and

7 C. On or about July 9, 2015, respondent submitted the quarterly report that was due
8 on July 10, 2015 in which he stated that he had complied with all conditions of his
9 disciplinary probation during the reporting period (April 1, 2015 – June 30, 2015)
10 and that he had advised the Office of Probation of any change of address within
11 ten days of any such change, when respondent knew or was grossly negligent in
12 not knowing that the statements were false in that during the reporting period he
13 had failed to timely submit the quarterly report that was due on April 10, 2015
14 and had failed to advise the Office of Probation about his change of address as
15 required by the terms of his probation.

16 **NOTICE - INACTIVE ENROLLMENT!**

17 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
18 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
19 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
20 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
21 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
22 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**
23 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**
24 **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 CHIEF TRIAL COUNSEL

DATED: May 13, 2016

By: 
Alex Hackert
Deputy Trial Counsel

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 15-O-14340; 15-O-14347

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, 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 Los Angeles, 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, Article No.: 9414 7266 9904 2010 0667 50, at Los Angeles, on the date shown below, addressed to:

**Michael L. Goolsby
3334 E. Coast Hwy Ste. 645
Corona Del Mar, CA 92625**

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 Los Angeles, California, on the date shown below.

DATED: May 13, 2016

Signed: _____


Lupe Pacheco
Declarant