

1 STATE BAR OF CALIFORNIA  
OFFICE OF CHIEF TRIAL COUNSEL  
2 JAYNE KIM, No. 174614  
CHIEF TRIAL COUNSEL  
3 JOSEPH R. CARLUCCI, No. 172309  
DEPUTY CHIEF TRIAL COUNSEL  
4 MELANIE J. LAWRENCE, No. 230102  
ASSISTANT CHIEF TRIAL COUNSEL  
5 ANTHONY J. GARCIA, No. 171419  
SUPERVISING SENIOR TRIAL COUNSEL  
6 DREW MASSEY, No. 244350  
DEPUTY TRIAL COUNSEL  
7 845 South Figueroa Street  
Los Angeles, California 90017-2515  
8 Telephone: (213) 765-1204

# PUBLIC MATTER

FILED

MAR 29 2016

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

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STATE BAR COURT  
HEARING DEPARTMENT - LOS ANGELES

In the Matter of: ) Case No. 15-O-14369  
ELLIS PARK, )  
No. 214303, ) NOTICE OF DISCIPLINARY CHARGES  
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. ELLIS PARK ("Respondent") was admitted to the practice of law in the State of  
4 California on July 3, 2001, was a member at all times pertinent to these charges, and is currently  
5 a member of the State Bar of California.

6  
7 COUNT ONE

8 Case No. 15-O-14369  
9 Business and Professions Code, section 6106  
[Moral Turpitude – Misappropriation]

10 2. On or about November 18, 2014, Respondent received on behalf of Respondent's  
11 client, James Park, a wire transfer in the amount of \$14,112.64 from the U.S. Government. The  
12 wire transfer was directly deposited into Respondent's client trust account at Wells Fargo Bank,  
13 account number XXXXXX4082 on behalf of the client. Respondent's client was entitled to the  
14 full amount of \$14,112.64. Between November 28, 2014 and December 29, 2014, Respondent  
15 dishonestly or grossly negligently misappropriated for Respondent's own purposes \$14,000 that  
16 Respondent's client was entitled to receive, and thereby committed an act involving moral  
17 turpitude, dishonesty or corruption in willful violation of Business and Professions Code,  
18 section 6106.

19  
20 COUNT TWO

21 Case No. 15-O-14369  
22 Rules of Professional Conduct, rule 4-100(B)(1)  
[Failure to Notify of Receipt of Client Funds]

23 3. On or about November 18, 2014, Respondent received on behalf of Respondent's  
24 client, James Park, \$14,112.64 by wire transfer from the U.S. Government to Respondent's  
25 client trust account at Wells Fargo Bank, account number XXXXXX4082. Respondent failed  
26 to notify the client of Respondent's receipt of funds on the client's behalf until on or about  
27 March 3, 2015, in willful violation of Rules of Professional Conduct, rule 4-100(B)(1).

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COUNT THREE

Case No. 15-O-14369  
Rules of Professional Conduct, rule 4-100(B)(3)  
[Failure to Render Accounts of Client Funds]

4. Between on or about November 28, 2012 and August 8, 2013, Respondent received \$22,590 from his client, James Park in four separate payments for legal fees. On or about November 18, 2014, Respondent received on behalf of Respondent's client, James Park, \$14,112.64 by wire transfer from the U.S. Government to Respondent's client trust account at Wells Fargo Bank, account number XXXXXX4082. Respondent thereafter failed to render an appropriate accounting to the client regarding all funds following the client's request for such accounting on or about February 20, 2015 and March 8, 2015, in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

COUNT FOUR

Case No. 15-O-14369  
Rules of Professional Conduct, rule 4-100(A)(2)  
[Withdrawal of Disputed Client Funds]

5. On or about November 18, 2014, Respondent received a wire transfer on behalf of Respondent's client, James Park, in the amount of \$14,112.64 from the U.S. Government into Respondent's client trust account at Wells Fargo Bank, account number XXXXXX4082. Between November 24, 2014 and December 29, 2014, Respondent withdrew \$14,000. When Respondent informed his client of the receipt of funds on or about February 20, 2015, Respondent learned that the funds were disputed. He thereafter failed to return the funds to his client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A)(2).

COUNT FIVE

Case No. 15-O-14369  
Rules of Professional Conduct, rule 4-100(A)  
[Failure to Maintain Client Funds in Trust Account]

6. On or about November 18, 2014, Respondent received a wire transfer on behalf of Respondent's client, James Park, in the amount of \$14,112.64 from the U.S. Government into

1 Respondent's client trust account at Wells Fargo bank, account number XXXXXX4082. Of  
2 this sum, the client was entitled to the full amount. Respondent failed to maintain a balance of  
3 \$14,112.64 on behalf of the client in Respondent's client trust account, in willful violation of  
4 Rules of Professional Conduct, rule 4-100(A).

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**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.**

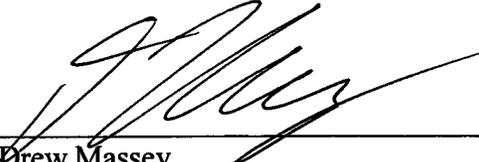
**NOTICE - COST ASSESSMENT!**

**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: March 29, 2016

By:   
Drew Massey  
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-14369

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))
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 0734 20 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:.

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').

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 29, 2016

SIGNED: Charles C. Bagai Declarant

1 STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL  
2 JAYNE KIM, No. 174614  
CHIEF TRIAL COUNSEL  
3 JOSEPH R. CARLUCCI, No. 172309  
DEPUTY CHIEF TRIAL COUNSEL  
4 JOHN T. KELLEY, No. 193646  
ACTING ASSISTANT CHIEF TRIAL COUNSEL  
5 BROOKE A. SCHAFER, No. 194824  
SUPERVISING SENIOR TRIAL COUNSEL  
6 SHERELL N. McFARLANE, No. 217357  
DEPUTY TRIAL COUNSEL  
7 845 South Figueroa Street  
Los Angeles, California 90017-2515  
Telephone: (213) 765-1288  
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# PUBLIC MATTER

**FILED**

**MAR 28 2016**

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

9  
10 STATE BAR COURT

11 HEARING DEPARTMENT - LOS ANGELES

12  
13 In the Matter of: ) Case No. 15-O-13425  
14 JOSE ARTURO RODRIGUEZ, )  
No. 116541, ) NOTICE OF DISCIPLINARY CHARGES  
15 )  
16 A Member of the State Bar. )

17 **NOTICE - FAILURE TO RESPOND!**

18 **IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE  
19 WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT  
20 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 IN  
25 THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION  
26 AND THE DEFAULT IS SET ASIDE, AND;**  
27 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.  
28 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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27 ///

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  
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))

- 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.: 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 Electronic Address. Row 1: Jose Arturo Rodriguez, Arturo Rodriguez 84426 N. Sienna Cir Coachella, CA 92236, (blank), (blank).

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: March 28, 2016

SIGNED:

Sandra Reynolds
Sandra Reynolds
Declarant