

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
 OFFICE OF CHIEF TRIAL COUNSEL
 2 GREGORY P. DRESSER, No. 136532
 INTERIM CHIEF TRIAL COUNSEL
 3 JOHN T. KELLEY, No. 193646
 ACTING ASSISTANT CHIEF TRIAL COUNSEL
 4 BROOKE A. SCHAFER, No. 194824
 SUPERVISING SENIOR TRIAL COUNSEL
 5 ALEX HACKERT, No. 267342
 DEPUTY TRIAL COUNSEL
 6 845 South Figueroa Street
 Los Angeles, California 90017-2515
 7 Telephone: (213) 765-1498

FILED
 JUN 02 2016
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

8
 9 STATE BAR COURT
 10 HEARING DEPARTMENT - LOS ANGELES

11
 12 In the Matter of:) Case No. 15-O-14763
 13 RICHARD D. HUFFMAN II,)
 No. 157740,) NOTICE OF DISCIPLINARY CHARGES
 14)
 15 A Member of the State Bar.)

16 **NOTICE - FAILURE TO RESPOND!**

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

- 19 (1) **YOUR DEFAULT WILL BE ENTERED;**
 20 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**
WILL NOT BE PERMITTED TO PRACTICE LAW;
 21 (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;
 22 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
 23 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**
 24 **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.

25 //
 26 //
 27 //
 28 //



1 The State Bar of California alleges:

2 JURISDICTION

3 1. Richard D. Huffman II ("respondent") was admitted to the practice of law in the State
4 of California on March 6, 1992, 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-14763
8 Rules of Professional Conduct, rule 4-100(B)(3)
[Failure to Render Accounts of Client Funds]

9 2. On or about July 14, 2015, respondent received on behalf of respondent's client,
10 William Danney, advanced fees in the amount of \$1,250. Respondent thereafter failed to render
11 an appropriate accounting to the client regarding those funds following the termination of
12 respondent's employment on or about July 30, 2015, in willful violation of the Rules of
13 Professional Conduct, rule 4-100(B)(3).

14 COUNT TWO

15 Case No. 15-O-14763
16 Rules of Professional Conduct, rule 3-700(D)(1)
[Failure to Release File]

17 3. Respondent failed to release promptly, after termination of respondent's employment
18 on or about July 30, 2015, to respondent's client, William Danney, all of the client's papers and
19 property following the client's request for the client's file on or about July 30, 2015, in willful
20 violation of Rules of Professional Conduct, rule 3-700(D)(1).

21 COUNT THREE

22 Case No. 15-O-14763
23 Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

24 4. Respondent failed to cooperate and participate in a disciplinary investigation pending
25 against respondent by failing to provide a substantive response to the State Bar's letters of
26 January 7, 2016 and February 17, 2016, which respondent received, that requested respondent's
27 response to the allegations of misconduct being investigated in case no. 15-O-14763, in willful
28 violation of Business and Professions Code, section 6068(i).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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: June 2, 2016

By: 
Alex Hackert
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-14763

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, CA 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 0659 13 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: Richard D. Huffman II, Law Offices of Richard D Huffman, II, 2658 Del Mar Heights Rd, Ste 220, Del Mar, CA 92014, Electronic Address.

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: June 2, 2016

SIGNED:

Handwritten signature of Juli Finnila

JULI FINNILA
Declarant