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**STATE BAR COURT OF CALIFORNIA**

**REVIEW DEPARTMENT**

**IN BANK**

In the Matter of	)	Case No. 15-Q-15087
	)	
STARR JAN SINTON,	)	RECOMMENDATION ON
	)	RESIGNATION
A Member of the State Bar, No. 60017.	)	
_____	)	

On October 13, 2015, respondent Starr Jan Sinton filed his resignation with disciplinary charges pending. On December 14, 2015, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed its report on the resignation. OCTC recommends that Sinton's resignation be accepted. Based on OCTC's recommendation and in light of the grounds set forth in California Rules of Court, rule 9.21(d),<sup>1</sup> as detailed below, we recommend that the Supreme Court accept the resignation.

**I. BACKGROUND**

Sinton was admitted to practice law in California on June 17, 1974. He has two prior records of discipline. On April 24, 2013 (effective May 24, 2013), the Supreme Court ordered Sinton suspended for one year, execution stayed; placed on probation for one year; and actually suspended for the first 30 days of probation. (*In re Starr Jan Sinton* (S208857), State Bar Court case no. 12-O-13199.) Sinton stipulated that he committed an act of moral turpitude in willful

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<sup>1</sup> All further references to rules are to this source unless otherwise noted.

violation of Business and Professions Code section 6106 when he reported to the State Bar that he was in compliance with the Minimum Continuing Legal Education (MCLE) requirements and had completed 25 hours of MCLE courses during the compliance period when he knew or was grossly negligent in not knowing that he had not completed any MCLE courses during the compliance period. There were no aggravating circumstances; considered in mitigation were Sinton's prior record without discipline and his cooperation.

On January 29, 2015 (effective February 28, 2015), the Supreme Court ordered Sinton suspended for one year, execution stayed; placed on probation for two years; and actually suspended for the first 90 days of probation. (*In re Starr Jan Sinton* (S222906), State Bar Court case no. 14-O-03745.) Sinton stipulated that he failed to comply with the conditions of probation imposed by the Supreme Court disciplinary order in his first prior discipline, in willful violation of Business and Professions Code section 6068, subdivision (k). Sinton failed to timely file his final report with the Office of Probation of the State Bar and failed to attend and complete a session of Ethics School and submit satisfactory proof of the same. Sinton's prior record of discipline and his indifference toward rectification of the consequences of his misconduct were considered in aggravation; considered in mitigation was his admission of culpability and consent to the imposition of discipline through stipulation.

OCTC and Sinton have entered into a stipulation as to facts in the instant matter. There are no current investigations or disciplinary proceedings against Sinton, however, he is subject to disciplinary probation in case number 14-O-03745.<sup>2</sup> Respondent is currently in compliance with his conditions of probation and wishes to resign.

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<sup>2</sup> We consider a pending probation as a "proceeding," as contemplated by rule 5.427(B) of the Rules of Procedure of the State Bar of California.

## **II. CONSIDERATION OF THE GROUNDS SET FORTH IN RULE 9.21(d)**

We have considered Sinton's resignation under the grounds set forth in rule 9.21(d). We summarize below the relevant information for each ground:

### **1. Whether the preservation of testimony is complete.**

OCTC reports that there is no need for perpetuation of the evidence.

### **2. Whether after transfer to inactive status, Sinton has practiced law or has advertised or held himself out as entitled to practice law.**

OCTC reports that it has no evidence that Sinton has practiced law or held himself out as entitled to practice law since he tendered his resignation.

### **3. Whether Sinton performed the acts specified in rule 9.20(a)-(b).**

Sinton filed a rule 9.20 compliance declaration on November 25, 2015, stating that he had no clients, no client papers or other property to return, no unearned fees, and no pending client matters. OCTC notes that it appears that there were no acts that Sinton was required to perform pursuant to rule 9.20.

### **4. Whether Sinton provided proof of compliance with rule 9.20(c).**

Sinton's rule 9.20 compliance declaration in this case was submitted on November 25, 2015.

### **5. Whether the Supreme Court has filed a disbarment order.**

The Supreme Court has not filed a disbarment order.

### **6. Whether the State Bar Court has filed a decision recommending disbarment.**

The State Bar Court has not filed a decision recommending Sinton's disbarment.

**7. Whether Sinton previously resigned or has been disbarred and reinstated to the practice of law.**

Sinton has not previously resigned or been disbarred in California.

**8. Whether Sinton entered a stipulation with OCTC as to facts and conclusions of law regarding pending disciplinary matters.**

OCTC reports that it reached agreement on a written stipulation as to facts regarding Sinton's current disciplinary probation as there are no disciplinary matters pending against Sinton.

**9. Whether accepting Sinton's resignation will reasonably be inconsistent with the need to protect the public, the courts, or the legal profession.**

We recommend accepting the resignation for the reasons stated by OCTC in the report. Sinton: (1) filed a rule 9.20 compliance declaration; (2) entered into a stipulation as to facts regarding his current disciplinary probation; (3) has no current pending disciplinary matters; (4) has no pending Client Security Fund claims or other unresolved discipline matters or investigations; and (5) is 68 years old and is willing to forfeit his license. Under these circumstances, we do not believe that public confidence in the discipline system will be undermined by accepting the resignation and that acceptance would be consistent with the need to protect the public, the courts, and the legal profession.

### **III. RECOMMENDATION**

We recommend that the Supreme Court accept the resignation of Starr Jan Sinton, State Bar number 60017. We further recommend that costs be awarded to the State Bar in accordance with Business and Professions Code section 6068.10, and that such costs be enforceable both as provided in section 6140.7 and as a money judgment.

**PURCELL**

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Presiding Judge

## 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 Los Angeles, on February 8, 2016, I deposited a true copy of the following document(s):

### RECOMMENDATION ON RESIGNATION FILED FEBRUARY 8, 2016

in a sealed envelope for collection and mailing on that date as follows:

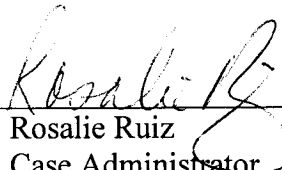
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

STARR J. SINTON  
7770 REGENTS RD STE 113-221  
SAN DIEGO, CA 92122

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

Shataka A. Shores-Brooks, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on February 8, 2016.

  
\_\_\_\_\_  
Rosalie Ruiz  
Case Administrator  
State Bar Court