

FILED

JUL 10 2017

**STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO**

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5 Counsel for Respondent
MICHAEL RICHARDS
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9 **THE STATE BAR COURT**
10 **HEARING DEPARTMENT - SAN FRANCISCO**

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12 **In the Matter of**
13 **MICHAEL RICHARDS,**
14 **No. 229790,**
15 **A Member of the State Bar.**

) **Case No. 16-C-11371-LMA**
) **RESPONSE TO NOTICE OF**
) **HEARING ON CONVICTION**
) **B & P §§ 6101 AND 6102**

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17 Respondent responds to the Notice of Hearing on Conviction, filed on June 22, 2017, as follows:

18 Respondent admits that he was admitted to the practice of law in the State of California on or
19 about January 6, 2004, and has been a member of the State Bar of California since then.

20 Respondent admits that he was convicted of a misdemeanor violation of Penal Code section
21 647(f) [Public Intoxication] on January 28, 2016, in Case Number 15CR01262, in Superior Court,
22 County of Santa Cruz.

23 Respondent denies that a conviction of Penal Code section 647(f) is *per se* a crime of moral
24 turpitude.

25 Respondent denies that the facts and circumstances surrounding the offense involved moral
26 turpitude.



1 Respondent denies that the facts and circumstances of the commission of the crime constitute
2 misconduct warranting discipline.

3 Respondent admits that he was convicted of a misdemeanor violation of Penal Code section
4 243(e)(1) [Battery (relationship)] on January 28, 2016, in Case Number 15CR01262, Superior Court,
5 County of Santa Cruz.

6 Respondent denies that a conviction of Penal Code section 243(e)(1) is *per se* a crime of moral
7 turpitude.

8 Respondent denies that the facts and circumstances surrounding the offense involved moral
9 turpitude.

10 Respondent denies that the facts and circumstances of the commission of the crime constitute
11 misconduct warranting discipline.

12 Respondent admits that he was convicted of a misdemeanor violation of Health & Safety Code
13 section 11377 [possession of a controlled substance], on January 28, 2016, in Case Number 15CR01262
14 in Superior Court, County of Santa Cruz.

15 Respondent denies that a conviction of Health & Safety Code section 11377 is *per se* a crime of
16 moral turpitude.

17 Respondent denies that the facts and circumstances surrounding the offense involved moral
18 turpitude.

19 Respondent denies that the facts and circumstances of the commission of the crime constitute
20 misconduct warranting discipline.

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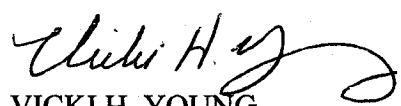
Mitigating Circumstances

Respondent submits that the following mitigating circumstances apply. [see Standard 1.6(a)]

Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed to be serious.

DATED: July 10, 2017

Respectfully submitted,


VICKI H. YOUNG
Counsel for Respondent
MICHAEL RICHARDS

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Verification

I am counsel for Michael Richards in the above matter.


I declare under penalty of perjury, under the laws of the State of California that I have read the foregoing Response to Notice of Hearing.

I am informed and believe the matters therein to be true and on that ground allege that the matters stated therein are true.

My office is located in Santa Clara County. Respondent lives in Santa Cruz County. At present he does not maintain an office as he is on inactive status with the State Bar of California.

Executed this 10th day of July, 2017, at Palo Alto, California.

Respectfully submitted,


VICKI H. YOUNG
Attorney for Michael Richards

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PROOF OF SERVICE

I, Vicki H. Young, hereby declare that I am employed in the County of Santa Clara. I am over the age of eighteen years, and my business address is 2211 Park Boulevard, Palo Alto, California 94306.

On July 10, 2017, I served the foregoing **Response to Notice of Hearing on Conviction** by hand-delivering a true copy thereof, enclosed in a sealed envelope addressed as follows:

Allen Blumenthal
Senior Trial Counsel
The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 10th day of July, 2017, in Palo Alto, California.

