

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL
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FILED

DEC 13 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE)
CONVICTION OF:)
MICHAEL RICHARDS,)
No. 229790)
A Member of the State Bar)
) [] Felony;
) [] Crime(s) involved moral turpitude;
) [] Probable cause to believe the crime(s) involved moral
turpitude;
) [X] Crime(s) which may or may not involve moral turpitude or
other misconduct warranting discipline;
) [] Transmittal of Notice of Finality of Conviction.

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

- [X] A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the State Bar and for such consideration and action as the Court deems appropriate:
- [] B. Notice of Appeal
- [] C. Evidence of Finality of Conviction (Notice of Lack of Appeal)
- [] D. Other

Name of Member: Michael Richards

Date member admitted to practice law in California: January 6, 2004

Member's Address of Record: Michael Richards, Wallraff & Associates

136 Vernon Street

Santa Cruz, CA 95060

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named member of the State Bar was convicted as follows:

Date of entry of conviction: January 28, 2016

Convicting court: Santa Cruz Superior Court

Case number(s): 15CR01262

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- Crime(s) of which convicted and classification(s): Penal Code section 647(f) (Public Intoxication), five counts, misdemeanors that may or may not involve moral turpitude (See *In re Kelley* (1990) 52 Cal.3d 487 [conviction for driving under the influence]; *In the Matter of Anderson* (Review Dept. 1992) 2 Cal. Bar St. Bar Ct. Rptr. 208 [convictions for drunk driving].)

Penal Code section 243(e)(1), (Battery (Relationship)), one count, a misdemeanor that may or may not involve moral turpitude. (See *In the Matter of Stewart* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 52, 60 [battery upon a police officer does not involve moral turpitude per se]; *In re Otto* (1989) 48 Cal.3d 970 [assault does not involve moral turpitude per se].)

Health & Safety Code section 11377 (Possession Of A Controlled Substance), one count, a misdemeanor that may or may not involve moral turpitude (See *In re Higbie* (1972) 6 Cal.3d 562, 570 [possession of marijuana does not involve moral turpitude per se]; *In the Matter of Dierling* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 552, 560 [possession of marijuana for sale does not involve moral turpitude per se]; *In re Cohen* (1974) 11 Cal.3d 416, 421 [possession of marijuana for sale does not involve moral turpitude per se]; *People v. Castro* (1985) 38 Cal. 3d 301, 317 [simple possession of heroin does not necessarily involve moral turpitude].)

[] 3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.


[] 4. Other information to assist the State Bar Court

DOCUMENTS TRANSMITTED:

Complaint filed 12/1/15
Minute Order dated 1/5/16
First Amended Complaint filed 1/27/16
Minute Order dated 1/27/16
Second Amended Complaint filed 1/27/16
Minute Order dated 1/28/16
Probation/Conditional Sentence Order dated 2/29/16
Minute Order dated 2/29/16
Minute Order dated 5/6/16
Minute Order dated 6/9/16

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: December 13, 2016

BY: 
Allen Blumenthal
Senior Trial Counsel

A copy of this transmittal and its
Attachments have been sent to:

Michael Richards, Wallraff & Associates
136 Vernon Street
Santa Cruz, CA 95060

DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 16-C-11371

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, 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 San Francisco, on the date shown below, a true copy of the within

TRANSMITTAL OF RECORDS OF CONVICTION OF ATTORNEY, including:

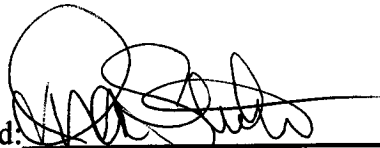
- Complaint filed 12/1/15**
- Minute Order dated 1/5/16**
- First Amended Complaint filed 1/27/16**
- Minute Order dated 1/27/16**
- Second Amended Complaint filed 1/27/16**
- Minute Order dated 1/28/16**
- Probation/Conditional Sentence Order dated 2/29/16**
- Minute Order dated 2/29/16**
- Minute Order dated 5/6/16**
- Minute Order dated 6/9/16**

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2069 9452 97, at San Francisco, on the date shown below, addressed to:

**Michael Richards
Wallraff & Associates
136 Vernon Street
Santa Cruz, CA 95060**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: December 13, 2016

Signed: 

Ina M. Strehle
Declarant