

1 **DALE I. GUSTIN, SBN 76642**  
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**FILED**

**JUN 13 2016**

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

8 **THE STATE BAR COURT OF CALIFORNIA**  
9  
10 **HEARING DEPARTMENT – SAN FRANCISCO**

11 **In the Matter of:**

) **Case Number 16-N-10867**  
) **ANSWER TO COMPLAINT**

12 **DALE I. GUSTIN, SBN 76642**  
13  
14  
15

16 **COMES NOW DALE IRVING GUSTIN, without admitting that this Court has Jurisdiction and in**  
17 **response to the Notice of Disciplinary Charges alleging as follows to those charges:**

18 **1. As to paragraph 1 the Respondent, without agreeing that this Court has Jurisdiction, does**  
19 **hereby denies the allegations as stated in paragraph 1 of said complaint.**

20 **COUNT ONE**

21  
22 **2. As to paragraph 2 the Respondent, without agreeing that this Court has Jurisdiction, does**  
23 **hereby deny the allegations as stated in paragraph 2 of said complaint.**

24 **COUNT TWO**

25 **3. As to paragraph 3 the Respondent, without agreeing that this Court has Jurisdiction, does**  
26 **hereby deny the allegations as stated in paragraph 3 of said complaint except to state that the**  
27



1 Respondent did perform certain typing chores for ex-clients at their request without giving any  
2 legal advise.

3 **AFFIRMATIVE DEFENSE**

4 4. The Respondent, without agreeing that this Court has Jurisdiction, does hereby request that the  
5 entire file in case 13-O-10692 be incorporate as a part of this Affirmative Defense that the State  
6 Bar is not operated in conformance with the laws of California and thus this Court lacks  
7 Jurisdiction to try this matter because the State Bar Rule 1.4 as written and applied to the  
8 Respondent in this and the pending cases violates the Constitution of the United States and the  
9 Constitution of the State of California as to the protections afforded the Respondent by *Elkins v.*  
10 *Superior Court*, 41 Cal. 4Th 1337 and thus it is impossible for the Respondent to get a fair trial in  
11 the State Bar Courts.  
12


13  
14 5. The Respondent request a preliminary evidentiary hearing on the issue as stated in paragraph 8  
15 of this answer.

16 6. The Respondent reserves the right to augment this Answer with additional Affirmative  
17 Defenses.  
18

19 7. The Respondent request that this matter be consolidated with cases, 14-O-00459, 14-O-05543  
20 and 15-O-11167, all matters be continued until the Respondent has time to evaluate all of the  
21 Discovery request and that the State Bar produce in printed form all documents that the State Bar  
22 intends to submit at trial.  
23

24 Dated: June 10, 2016

25 Respectfully Submitted

26   
27 DALE I. GUSTIN  
28

**PROOF OF SERVICE**

**I am employed in the county of San Luis Obispo, State of California. I am over the age of 18 years and not a party to the within action; my address is; 5770 Vista Serrano Way, Paso Robles, California.**

**On March 10, 2016, I served the foregoing document(s) described as follows:**

**ANSWER 16-N-10867**

**on the following interested parties in this action:**

**ROBIN BRUNE  
Assigned Counsel  
180 Howard Street, 6<sup>th</sup> Floor  
San Francisco, CA 94105-1639**

**XX BY US MAIL**

**\_\_\_ BY PRIORITY MAIL WITH TRACER – I deposited with the U.S. Postal Service on that day with postage thereon fully prepaid at Paso Robles, California, in the ordinary course of business.**

**\_\_\_ BY PERSONAL SERVICE – I caused to be delivered such envelope by hand to the offices(s) addressed above.**

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

**Executed on March 10, 2016 at Paso Robles, California.**

  
**WILLEMKE BOKMA**