

**PUBLIC MATTER
FILED**

AUG 30 2016

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

STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL
GREGORY P. DRESSER, No. 136532
INTERIM CHIEF TRIAL COUNSEL
MELANIE J. LAWRENCE, No. 230102
ACTING DEPUTY CHIEF TRIAL COUNSEL
SUSAN CHAN, No. 233229
ACTING ASSISTANT CHIEF TRIAL COUNSEL
SUSAN I. KAGAN, No. 214209
SENIOR TRIAL COUNSEL
180 Howard Street
San Francisco, California 94105-1639
Telephone: (415) 538-2037

**STATE BAR COURT
HEARING DEPARTMENT - SAN FRANCISCO**

In the Matter of:)	Case Nos. 16-N-15019; 16-O-15084
JOSEPH HENRY MARMAN,)	NOTICE OF DISCIPLINARY CHARGES
No. 129517,)	
)	
<u>A Member of the State Bar</u>)	

NOTICE - FAILURE TO RESPOND!

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

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

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. JOSEPH HENRY MARMAN ("respondent") was admitted to the practice of law in
4 the State of California on September 15, 1987, was a member at all times pertinent to these
5 charges, and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 16-N-15019
8 California Rules of Court, rule 9.20
[Failure to Obey Rule 9.20]

9 2. Respondent failed to file a declaration of compliance with California Rules of Court,
10 rule 9.20, in conformity with the requirements of rule 9.20(c) with the clerk of the State Bar
11 Court by May 4, 2016, as required by Supreme Court order no. S229881, in willful violation of
12 California Rules of Court, rule 9.20. (A true and correct copy of the rule 9.20 order is attached
13 hereto as Exhibit 1 and is incorporated by reference.)

14 COUNT TWO

15 Case No. 16-O-15084
16 Business and Professions Code, section 6068(k)
[Failure to Comply with Conditions of Probation]

17 3. Respondent failed to comply with conditions attached to Respondent's disciplinary
18 probation in State Bar Case no. 10-C-08329 as follows, in willful violation of Business and
19 Professions Code, section 6068(k):

- 20 A. Failing to submit a quarterly report by its due date of July 10, 2016;
21 B. Failing to contact the Office of Probation to schedule a meeting within 30 days from
22 the effective date of the discipline;
23 C. Failing to submit a medical waiver by its due date of April 24, 2016;
24 D. Failing to submit lab reports by their due dates of April 10, May 10, June 10 and July
25 10, 2016; and
26 E. Failing to submit proof of attendance at an Abstinence Program Meeting by its due
27 date of July 10, 2016.

1
2 **NOTICE - INACTIVE ENROLLMENT!**

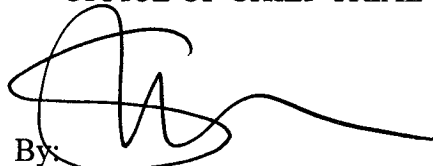
3 YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
4 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
5 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
6 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
7 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
8 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
9 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
10 RECOMMENDED BY THE COURT.
11

12 **NOTICE - COST ASSESSMENT!**

13 IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
14 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
15 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING
16 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
17 PROFESSIONS CODE SECTION 6086.10.
18

19 Respectfully submitted,

20 THE STATE BAR OF CALIFORNIA
21 OFFICE OF CHIEF TRIAL COUNSEL

22 

23 DATED: August 30, 2016

24 By: _____
25 SUSANI I. KAGAN
26 Senior Trial Counsel
27
28

1 **DECLARATION OF SERVICE BY CERTIFIED AND REGULAR MAIL**

2 **RE: MARMAN**
3 **CASE NOS.: 16-N-15019; 16-O-15084**

4 I, the undersigned, over the age of eighteen (18) years, whose business address and place of
5 employment is the State Bar of California, 180 Howard Street, San Francisco, California
6 94105, declare that I am not a party to the within action; that I am readily familiar with the
7 State Bar of California's practice for collection and processing of correspondence for mailing
8 with the United States Postal Service; that in the ordinary course of the State Bar of
9 California's practice, correspondence collected and processed by the State Bar of California
10 would be deposited with the United States Postal Service that same day; that I am aware that
11 on motion of party served, service is presumed invalid if postal cancellation date or postage
12 meter date on the envelope or package is more than one day after date of deposit for mailing
13 contained in the affidavit; and that in accordance with the practice of the State Bar of
14 California for collection and processing of mail, I deposited or placed for collection and
15 mailing in the City and County of San Francisco, on the date shown below, a true copy of the
16 within

17 **NOTICE OF DISCIPLINARY CHARGES**

18 in a sealed envelope placed for collection and mailing as ***certified mail, return receipt***
19 **requested**, and in an additional sealed envelope as ***regular mail***, at San Francisco, on the date
20 shown below, addressed to:

21 **Article No. 9414 7266 9904 2069 9446 27**

22 **JOSEPH HENRY MARMAN**
23 **8421 Auburn Blvd #145**
24 **Citrus Heights, CA 95610-0394**

25 in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

26 **N/A**

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

29 **DATED: August 30, 2016**

30 Signed: 

31 Dawn Williams
32 Declarant