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PUBLIC MATTER

FILED

OCT 05 2018

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

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STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:) Case No. 18-O-11297
ABRAHAM ADRIAN SANCHEZ)
SIQUEIROS,) NOTICE OF DISCIPLINARY CHARGES
No. 275433,)
A Member of the State Bar.)

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. ABRAHAM ADRIAN SANCHEZ SIQUEIROS ("respondent") was admitted to the
4 practice of law in the State of California on February 8, 2011, was a member at all times
5 pertinent to these charges, and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 18-O-11297
8 Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

9 2. On or about November 25, 2013, Lourdes Razon-Chua and Patrick Aguiluz (the
10 "Clients") employed respondent to perform legal services, namely to defend them in a
11 defamation action entitled *Sacramento v. Razon-Chua, et al.*, bearing Los Angeles Superior
12 Court case no. BC515464 (the "Lawsuit"), which respondent intentionally, recklessly, or
13 repeatedly failed to perform with competence, in willful violation of Rules of Professional
14 Conduct, rule 3-110(A), by improperly failing to take any action to defend the Clients in the
15 Lawsuit, thereby resulting in a default being entered against the Clients in June 2015, and default
16 judgment being entered against the Clients on or about August 19, 2015.

17 COUNT TWO

18 Case No. 18-O-11297
19 Business and Professions Code, section 6106
[Moral Turpitude – Misrepresentation to Client]

20 3. On or about May 4, 2015, respondent stated in writing to his clients, Lourdes Razon-
21 Chua and Patrick Aguiluz (the "Clients"), that the hearing to set aside their default was
22 scheduled for June 15, 2015, when respondent knew that this statement was false and misleading
23 because there was no hearing to set aside the Clients' default on that date. Respondent thereby
24 committed an act involving moral turpitude, dishonesty, or corruption in willful violation of
25 Business and Professions Code, section 6106.

26 4. A violation of section 6106 may result from intentional conduct or grossly negligent
27 conduct. Respondent is charged with committing intentional misrepresentation. However,
28 should the evidence at trial demonstrate that respondent committed misrepresentation as a result

1 of gross negligence, respondent must still be found culpable of violating section 6106 because
2 misrepresentation through gross negligence is a lesser included offense of intentional
3 misrepresentation.

4 COUNT THREE

5 Case No. 18-O-11297
6 Business and Professions Code, section 6106
7 [Moral Turpitude – Misrepresentation to Client]

8 5. On or about October 27, 2015, respondent stated in writing to his clients, Lourdes
9 Razon-Chua and Patrick Aguiluz (the “Clients”), that the hearing for their motion to set aside
10 was on February 22, 2016, when respondent knew that these statements were false and
11 misleading because there was no hearing to set aside the Clients’ default on that date.
12 Respondent thereby committed an act involving moral turpitude, dishonesty, or corruption in
13 willful violation of Business and Professions Code, section 6106.

14 6. A violation of section 6106 may result from intentional conduct or grossly negligent
15 conduct. Respondent is charged with committing intentional misrepresentation. However,
16 should the evidence at trial demonstrate that respondent committed misrepresentation as a result
17 of gross negligence, respondent must still be found culpable of violating section 6106 because
18 misrepresentation through gross negligence is a lesser included offense of intentional
19 misrepresentation.

20 COUNT FOUR

21 Case No. 18-O-11297
22 Business and Professions Code, section 6068(m)
23 [Failure to Respond to Client Inquiries]

24 7. Respondent failed to respond promptly to numerous written reasonable status
25 inquiries made by respondent’s clients, Lourdes Razon-Chua and Patrick Aguiluz, between June
26 16, 2015, to September 3, 2015, regarding the status of the motion to vacate default, that
27 respondent received in a matter in which respondent had agreed to provide legal services, in
28 willful violation of Business and Professions Code, section 6068(m).

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COUNT FIVE

Case No. 18-O-11297
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

8. Respondent, failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to respondent's clients, Lourdes Razon-Chua and Patrick Aguiluz (the "Clients"), by constructively terminating respondent's employment by January 7, 2016, by failing to take any action on the Clients' behalf after respondent e-mailed the Clients, informing them that they did not need to attend a hearing on February 22, 2016, and thereafter failing to inform the Clients that respondent was withdrawing from employment in willful violation of the Rules of Professional Conduct, rule 3-700(A)(2).

NOTICE - INACTIVE ENROLLMENT!

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


NOTICE - COST ASSESSMENT!

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

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: October 5, 2018

By: 
Janet S. Yoon
Deputy Trial Counsel

DECLARATION OF SERVICE

by
U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 18-O-11297

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 S. Figueroa Street, Los Angeles, California 90017, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES

By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))
- 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 Los Angeles.

By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))

By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').

By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

By Electronic Service: (CCP § 1010.6)
Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)

(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2111 0149 33 at Los Angeles, addressed to: (see below)

(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to:
Abraham A. Sanchez Siqueiros, Sanchez Siqueiros Law, 515 S Flower St Fl 19, Los Angeles, CA 90071-2221, Electronic Address

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

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, and overnight delivery by the United Parcel Service ('UPS'). 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, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the 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.

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

DATED: October 5, 2018

SIGNED:

Laura Jett signature
LAURA JETT
Declarant