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**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – SAN FRANCISCO**

In the Matter of)	Case No.: 07-O-11534-LMA
)	
ELIAS F. PORTALES,)	ORDER GRANTING MOTION FOR
)	EXTENSION OF TIME TO PAY COSTS
Member No. 230402,)	
)	
<u>A Member of the State Bar.</u>)	

On February 3, 2009, respondent Elias F. Portales (respondent) filed a Motion for Relief from or Extension of Time to Pay Disciplinary Costs in the above-captioned case. (Supreme Court case No. S162327). (Rules Proc. of State Bar, rule 282.) Respondent submitted a financial statement in support of his motion for relief based on financial hardship. (Rules Proc. of State Bar, rule 282(b)(2).)

On February 5, 2009, the Office of the Chief Trial Counsel of the State Bar of California (State Bar) filed a response opposing any reduction in costs. The State Bar, however, did not oppose extending the time for respondent to pay the costs by deferring any payment by one year from the date of respondent's motion and dividing the costs into five equal payments to be added to respondent's dues in 2010, 2011, 2012, 2013, and 2014.

After carefully considering all issues set forth in the pleadings submitted by respondent and the State Bar and the evidence provided therewith, the court finds that respondent has

demonstrated financial hardship. Accordingly, the court **GRANTS** respondent's motion to extend time to pay disciplinary costs and **DENIES** his motion for reduction in costs.

In view of respondent's financial hardship and good cause appearing, the court **ORDERS** respondent to pay the disciplinary costs in five equal installments along with his membership fees commencing with the 2010 billing cycle. In accordance with Business and Professions Code section 6086.10, one-fifth of the costs must be paid with respondent's membership fees for the years 2010, 2011, 2012, 2013, and 2014. It is further ordered that if respondent fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286.) The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

IT IS SO ORDERED.

Dated: February 24, 2009



LUCY ARMENDARIZ
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on February 24, 2009, I deposited a true copy of the following document(s):

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO PAY COSTS

in a sealed envelope for collection and mailing on that date as follows:

by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

**ELIAS F. PORTALES
1263 AVENIDA LAS BRISAS
SAN JOSE, CA 95131**

by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

by overnight mail at , California, addressed as follows:


by fax transmission, at fax number . No error was reported by the fax machine that I used.

By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

ROBERT HENDERSON, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on February 24, 2009.



Bernadette C.O. Molina
Case Administrator
State Bar Court