

STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT

180 Howard St., 6th Fl., San Francisco, CA 94105

FOR CLERK'S USE ONLY:
FILED PUBLIC MATTER

MAR 03 2009

STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

In the Matter of:

HARRY ELLIS ROGERS

Member No. 48561

A Member of the State Bar.

Case No(s): **08-C-13287-PEM**

NOTICE OF HEARING ON CONVICTION
(Business and Professions Code §§ 6101 and 6102)

NOTICE TO RESPONDENT RE: DEFAULT AND INACTIVE ENROLLMENT

If you fail to file an answer to this notice within the time allowed by the Rules of Procedure of the State Bar, including extensions, or if you fail to appear at the State Bar Court trial: (1) your default shall be entered; (2) you shall be enrolled as an involuntary inactive member of the State Bar and will not be permitted to practice law unless the default is set aside on motion timely made under the Rules of Procedure of the State Bar; (3) you shall not be permitted to participate further in these proceedings unless your default is set aside; (4) the factual allegations set forth in the Office of the Chief Trial Counsel's statement of facts and circumstances surrounding the conviction, filed pursuant to rule 604(c), Rules of Procedure of the State Bar, shall be deemed admitted; and (5) you shall be subject to additional discipline.

The Rules of Procedure of the State Bar require you to file your written response to this notice within twenty days after service.

If your default is entered: (1) evidence that would otherwise be inadmissible may be used against you in this proceeding; and (2) you will lose the opportunity to participate further in these proceedings, including presenting evidence in mitigation, countering evidence in aggravation, and moving for reconsideration, unless and until your default is set aside on motion timely made under the prescribed grounds. See rules 200 et seq., and rule 604, Rules of Procedure of the State Bar.

If your default is entered and the discipline imposed by the Supreme Court in this proceeding includes a period of actual suspension, you will remain suspended from the practice of law for at least the period of time specified by the Supreme Court. In addition, the actual suspension will continue until you have requested, and the State Bar Court has granted, a motion for termination of the actual suspension. As a condition for terminating the actual suspension, the State Bar Court may place you on probation and require you to comply with such conditions of probation as the State Bar Court deems appropriate. See rule 205, Rules of Procedure of the State Bar.

Pursuant to the order of the Review Department, filed February 18, 2009, a true and correct copy of which is attached as an exhibit hereto, your conviction has been referred to the Hearing Department of the State Bar Court.

You are notified to be present in person or by counsel at a status conference to be set pursuant to rule 1210, Rules of Practice of the State Bar Court.


YOU ARE FURTHER NOTIFIED, pursuant to rules 600-605, Rules of Procedure of the State Bar, to be present at such time and place as is set for the first day of trial, in person or by counsel to present evidence on your behalf, to examine and cross-examine witnesses and otherwise participate in the proceedings before the State Bar Court.

Your attention is directed to the Rules of Procedure of the State Bar and Rules of Practice of the State Bar Court, which govern these proceedings. You may locate the Rules of Procedure and Rules of Practice on the internet at <http://www.statebarcourt.ca.gov>. If you do not have access to the Internet and want to purchase a copy of the rules, please contact State Bar Administrative Services at (213) 765-1121.

NOTICE - COST ASSESSMENT

In the event these proceedings 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 sections 6086.10 and 6140.7. See also rule 280, et seq., Rules of Procedure of the State Bar.

Dated: March 3, 2009


George Hue
Case Administrator
State Bar Court

08-C-13287

FILED

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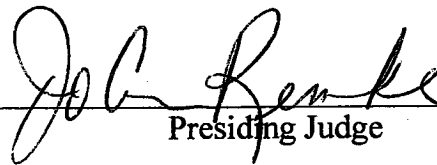
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

**REVIEW DEPARTMENT OF THE STATE BAR COURT
IN BANK**

IN THE MATTER OF HARRY E. ROGERS

A MEMBER OF THE STATE BAR OF CALIFORNIA

This case is referred to the hearing department under the authority of rule 9.10(a), California Rules of Court, for a hearing and decision recommending the discipline to be imposed in the event that the hearing department finds that the facts and circumstances surrounding the violation of Penal Code section 240, of which **HARRY E. ROGERS** was convicted, involved moral turpitude or other misconduct warranting discipline.


Presiding Judge

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 March 3, 2009, I deposited a true copy of the following document(s):

NOTICE OF ASSIGNMENT AND NOTICE OF INITIAL STATUS CONFERENCE;

NOTICE OF HEARING ON CONVICTION (Business and Professions Code §§ 6101 and 6102)

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 , California, addressed as follows:

by certified mail, No. 7160 3901 9849 4568 3331, with return receipt requested, through the United States Postal Service at San Francisco, California, addressed as follows:

HARRY ELLIS ROGERS
MONTEREY CA
2100 GARDEN RD
MONTEREY, CA 93940 - 5366

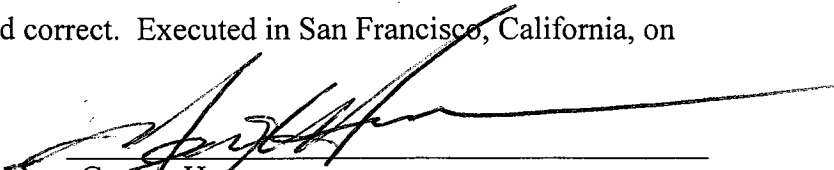
by overnight mail at , California, addressed as follows:

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:

Lawrence J. Dal Cerro, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on March 3, 2009.


George Hue
Case Administrator
State Bar Court