

FILED

AUG 29 2018

STATE BAR COURT CLERK'S OFFICE
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STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of)
) Case Nos. 10-C-07932-PEM (S228801)
) 17-N-00495 (S247854)
JEFFREY ALAN DICKSTEIN,) (Cases are not consolidated.)
)
) ORDER GRANTING RELIEF FROM
) ASSESSED COSTS AND DIRECTIVE
A Former Member of the State Bar, No. 70638.) TO COURT SPECIALISTS

This matter is before the court on the motion for relief from assessed disciplinary costs that Jeffrey Alan Dickstein filed in San Francisco on July 12, 2018, and in Los Angeles on July 13, 2018.¹ Specifically, in his motion, Dickstein seeks relief in whole (1) from the \$16,940.50 in costs that were assessed against him under the Supreme Court's November 10, 2015 disciplinary order in *In re Jeffrey Alan Dickstein on Discipline*, case number S228801 (State Bar Court case number 10-C-07932);² and (2) from the \$2,673 in costs that were assessed against him under the Supreme Court's May 31, 2018 disciplinary order in *In re Jeffrey Alan Dickstein on Discipline*, case number S247854 (State Bar Court case number 17-N-00495).

On July 20, 2018, the Office of Chief Trial Counsel of the State Bar of California (OCTC) filed a very short (i.e., 67 words) opposition to Dickstein's motion. The substance of OCTC's opposition is as follows: "OCTC opposes [Dickstein's] seek [sic] of relief from

¹ Dickstein inartfully titled his motion as "Petition and Financial Declaration Rule 5.130."

² In his motion, Dickstein incorrectly states that he was assessed with more than \$20,000 in costs in State Bar Court case number 10-C-07932; as noted above, he was assessed \$16,940.50.



payment of the disciplinary costs in its [sic] entirety. OCTC does not oppose an extension to repay [sic] disciplinary costs in this matter.”

Notably, OCTC's opposition does not state the factual basis for OCTC's opposition to Dickstein's motion. OCTC's opposition also does not cite, much less discuss, any supporting legal authority. It does not contain any legal analysis. It does not raise or assert any procedural or evidentiary issues or objections. In short, OCTC's purported opposition is, in effect, no opposition at all.

The record adequately establishes that Dickstein is a 71-year-old man with serious health issues; that Dickstein's reasonable living expenses of about \$1,858 a month exceed his sole source of income, which is \$1,728 in monthly Social Security Retirement Benefits, by \$130 (\$1,858 less \$1,728) a month; and that Dickstein's sole substantial asset is 2004 Ford Taurus worth less than \$2,000. The court finds that Dickstein has established sufficient grounds of hardship, special circumstances, and other good cause for the court to grant him relief from the entire \$19,613.50 (\$16,940.50 plus \$2,673.00) in assessed costs.

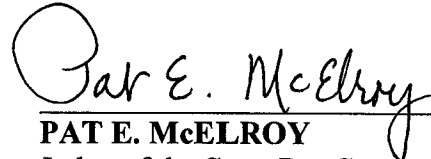
ORDER

The court orders that Jeffrey Alan Dickstein's motion for relief from assessed disciplinary costs is GRANTED. Accordingly, the court further orders that Dickstein is RELIEVED OF HIS OBLIGATION TO PAY the assessed costs totaling \$19,613.50 (i.e., the \$16,940.50 in costs that were assessed against Dickstein under the Supreme Court's November 10, 2015 disciplinary order in case number S228801 (State Bar Court case number 10-C-07932) plus the \$2,673 in costs that were assessed against Dickstein under the Supreme Court's May 31, 2018 disciplinary order in case number S247854 (State Bar Court case number 17-N-00495)). (Bus. & Prof. Code, § 6086.10, subd. (c); Rules Proc. of State Bar, rule 5.130.)

DIRECTIVE TO COURT SPECIALISTS

Because State Bar Court case numbers 10-C-07932 and 17-N-00495 are not consolidated, the court DIRECTS its Court Specialists to file a copy of this order in each of those cases.

Dated: August 29, 2018.



PAT E. McELROY
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Court Specialist 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 August 29, 2018, I deposited a true copy of the following document(s):

ORDER GRANTING RELIEF FROM ASSESSED COSTS AND DIRECTIVE TO COURT SPECIALISTS

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:

JEFFREY ALAN DICKSTEIN
JEFFREY A. DICKSTEIN
3263 S ERIE AVE
TULSA, OK 74135

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:

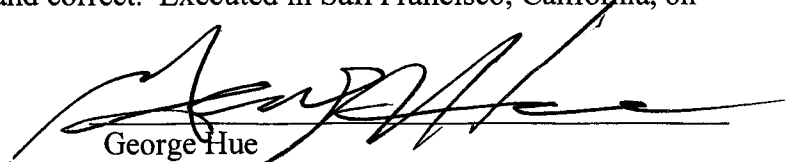
by fax transmission, at fax number _____. No error was reported by the fax machine that I used.

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:

Esther Fallas, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on August 29, 2018.


George Hue
Court Specialist
State Bar Court