



section 6180.5 or section 6190.34.<sup>3</sup> In the motion, OCTC contends that the Superior Court of California for the County of Los Angeles (superior court) assumed jurisdiction over Mr. Rios's law practice pursuant to section 6190 in an order which that court filed on January 22, 2018.<sup>4</sup> The superior court's January 22, 2018, order, discloses on its face that it was issued on an ex parte application filed by OCTC; that it contains an order to show cause (OSC) commanding Mr. Rios to appear before the superior court on February 22, 2018, and show cause why the superior court should not assume jurisdiction over his law practice; and that it contains interim orders in which the superior court temporarily assumed jurisdiction over Mr. Rios's law practice pending the February 22, 2018, hearing on the OSC.

An attorney must be provided with both notice and a hearing before a superior court may issue an order assuming jurisdiction over the attorney's practice under section 6180.5 or section 6190.34. (§§ 6180.4, 6180.5, 6190.3, 6190.34.) It follows that an ex parte order temporarily assuming jurisdiction of an attorney's practice pending a hearing on an OSC—like the superior court's January 22, 2018, order—is not an order assuming jurisdiction over an attorney's law practice under section 6180.5 or section 6190.34 and, therefore, cannot support an order of involuntary inactive enrollment under section 6007, subdivision (b)(2). Thus, when the motion was filed, it was not supported by clear and convincing evidence that a superior court has issued an order assuming jurisdiction over Mr. Rios's law practice under section 6180.5 or section 6190.34. Accordingly, the court set the motion for a hearing on March 2, 2018. (Rules Proc.

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<sup>3</sup> Section 6007, subdivision (b)(2) incorrectly refers to "section 6190.3." Effective September 21, 1989, a new section 6190.3 was enacted and the section 6190.3 referred to in section 6007, subdivision (b)(2) was renumbered as section 6190.34. Accordingly, the court refers to section 6190.34 and not section 6190.3.

<sup>4</sup> A copy of the superior court's January 22, 2018, order is attached as exhibit B to the assigned Deputy Trial Counsel's declaration in support of the motion.

of State Bar, rule 5.182(B)(2).) On February 5, 2018, the court properly served notice of the March 2, 2018, hearing on each of the parties.

OCTC appeared at the March 2, 2018, hearing, but Mr. Rios did not. The only issues at that hearing were whether a superior court has issued an order assuming jurisdiction over Mr. Rios's law practice under section 6180.5 or section 6190.34 and, if so, whether the order remains in effect and provides for any exceptions. (Rules Proc. of State Bar, rule 5.182(B)(2).)

At the March 2 hearing, the assigned Deputy Trial Counsel (DTC) proffered a copy of a permanent order assuming jurisdiction over the Law Office of Edward Earl Rios under section 6190.34 that the superior court filed on February 22, 2018, in its case number BS172174, styled *In the Matter of the Assumption of Jurisdiction Over the Law Practice of Edward Earl Rios, A Member of the State Bar of California, Bar No. 89962*.<sup>5</sup> The superior court's February 22, 2018, permanent order was filed after notice to Mr. Rios and a hearing on February 22, 2018, and it remains in effect. The superior court did not specify, in that order, any exceptions to its assumption of jurisdiction over Mr. Rios's law practice.

The court finds that the evidence proffered at the March 2, 2018, hearing on the motion and now admitted into evidence clearly and convincingly demonstrates that an order involuntarily enrolling Attorney Rios as an inactive member of the State Bar of California is appropriate under Business and Professions Code section 6007, subdivision (b)(2). (See Rules Proc. of State Bar, rule 5.182(A).)

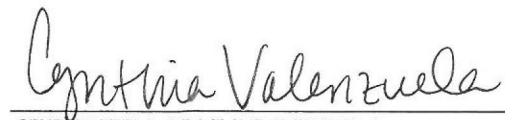
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<sup>5</sup> The copy of the superior court order that OCTC proffered at the hearing bears a stamp placed on the order by a deputy clerk of the superior court that states: "CONFORMED COPY [¶] ORIGINAL FILED [¶] Superior Court of California [¶] County of Los Angeles [¶] FEB 22 2018." This conformed copy of the superior court's February 22, 2018, permanent order bears the signature stamp of a superior court judge. Moreover, at the March 2 hearing, the DTC, who is an attorney and officer of the court, represented to the court that the proffered conformed copy was a copy of the actual permanent order the superior court filed on February 22, 2018. Accordingly, the conformed copy is admitted into evidence in this proceeding as exhibit 1. (Rules Proc. of State Bar, rule 5.104(C)&(D).)

**ORDER**

The court orders that OCTC's January 31, 2018, motion for involuntary inactive enrollment is GRANTED. Accordingly, the court further orders that Attorney Edward Earl Rios be involuntarily enrolled as an inactive member of the State Bar of California under Business and Professions Code section 6007, subdivision (b)(2) effective three days after service of this order by mail (Rules Proc. of State Bar, rule 5.184).

Dated: March 13, 2018.



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**CYNTHIA VALENZUELA**  
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 Los Angeles, on March 13, 2018, I deposited a true copy of the following document(s):

**ORDER OF INVOLUNTARY INACTIVE ENROLLMENT (Bus. & Prof. Code, § 6007, subd. (b)(2).)**

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 Los Angeles, California, addressed as follows:

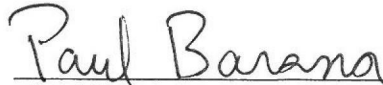
**EDWARD EARL RIOS  
861 S VILLAGE OAKS DR STE 208  
COVINA, CA 91724**

**EDWARD EARL RIOS  
3836 MAHOGANY, #143  
WEST COVINA, CA 91792**

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

**ABRAHIM M. BAGHERI, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on March 13, 2018.



Paul Barona  
Court Specialist  
State Bar Court