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AUG 31 2018

STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)
)
JAMES PAUL BARATTA)
AKA JAMES PAUL BARAFTA)
AKA JAMES PAUL BARRATTA,)
)
A Member of the State Bar, No. 292848.)
_____)

Case No. 18-C-11063

ORDER

On August 3, 2018, the Office of Chief Trial Counsel of the State Bar (OCTC) submitted a transmittal indicating that respondent James Paul Baratta, a.k.a. James Paul Barafta, a.k.a. James Paul Barratta, State Bar Number 292848, has been convicted of violating Penal Code section 489, subdivision (a) – 460, subdivision (a) (burglary), a felony involving moral turpitude; Penal Code section 594, subdivisions (a)/(b)(1) (vandalism with damage of \$400.00 or more), a felony which may or may involve moral turpitude; Penal Code section 502, subdivision (c)(3) (use of computer services without permission), a misdemeanor which may or may not involve moral turpitude; and Penal Code section 594, subdivisions (a)/(b)(1) (vandalism with damage of \$400.00 or more), a misdemeanor which may or may not involve moral turpitude. It is ordered pursuant to Business and Professions Code section 6102 that respondent be suspended from the practice of law, effective September 24, 2018, pending final disposition of this disciplinary

proceeding. (Cal. Rules of Court, rule 9.10, subd. (a).)¹ It is further ordered that respondent comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this suspension. Within 120 days of the date of this order, OCTC is ordered to submit evidence of finality or provide an update on finality.

PURCELL

Presiding Judge

¹ On August 16, 2018, respondent filed an opposition to interim suspension on the grounds that he plans to take certain actions so that his felony counts may be dismissed. However, such a dismissal would have no effect on discipline proceedings based on the conviction. (*In the Matter of Posthuma* (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 813, 820, fn. 7 [“in conviction referral proceedings, a conviction is deemed to remain final regardless of whether, after the attorney’s successful completion of probation, his conviction is later set aside or he is later permitted to withdraw his plea and the case dismissed under Penal Code section 1203.4 or some similar statute.”]; see also Bus. & Prof. Code § 6102, subd. (c) [summary disbarment required for conviction meeting requirements, irrespective of section 1203.4 order].)

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 August 31, 2018, I deposited a true copy of the following document(s):

ORDER FILED AUGUST 31, 2018

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:

ELLEN ANNE PANSKY
PANSKY MARKLE ATTORNEYS AT LAW
1010 SYCAMORE AVE UNIT 308
S PASADENA, CA 91030 - 6139

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

KEVIN B. TAYLOR, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 31, 2018.



Mazie Yip
Court Specialist
State Bar Court