

Bar Misc. No. 4628

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA
IN BANK

SUPREME COURT
FILED

APR 20 1983

IN THE MATTER OF THE RESIGNATION
OF DAVID W. WILLIAMS, JR., A MEMBER
OF THE STATE BAR OF CALIFORNIA.

LAURENCE P. GILL, Clerk
Deputy

Mosk, J., and Kaus, J., did not participate.

The voluntary resignation of David W. Williams, Jr., as a member of The State Bar of California is accepted without prejudice to further proceedings in any disciplinary matter pending against him should he hereafter seek reinstatement.

I, LAURENCE P. GILL, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court, as shown by the records of my office.

Witness my hand and the seal of the Court this

day of APR 20, 1983 A.D. 19

[Signature]
Deputy Clerk

RECEIVED

APR 20 1983

[Signature]

CLERK OF THE SUPREME COURT
STATE OF CALIFORNIA

Chief Justice

REMO C. MATTEOLI
CHIEF DEPUTY

DEPUTIES

JOHN C. ROSSI
ROBERTA GILMORE
DIANE MCHENRY
KENNETH A. WAGOVICH
SAN FRANCISCO

ROBERT F. JOHNSON
R. D. BARROW
LOS ANGELES

SAILIFFS

E. G. WILLIAMS
G. W. RODGERS
R. E. STOHLER

OFFICE OF THE CLERK

Supreme Court of California

SAN FRANCISCO, CALIFORNIA
LAURENCE P. GILL, CLERK

January 19, 1983

OFFICES

SAN FRANCISCO 94102
4250 STATE BUILDING
(415) 557-0587

LOS ANGELES 90010
3580 WILSHIRE BLVD.
(213) 736-2902

SACRAMENTO 95814
100 LIBRARY AND COURTS BUILDING
(916) 322-5957

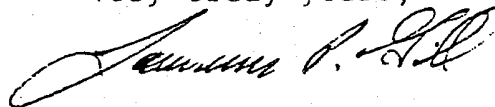
David Welford Williams, Jr.
One Topsail Street
Marina Peninsula, CA 90291

Re: Bar Misc. 4450 - In re David Welford Williams,
Jr.

Dear Mr. Williams:

As you are aware, the Review Department adopted the decision of the hearing panel, which states that your failure timely to file the declaration required by rule 955, subdivision (c), California Rules of Court was not wilful and recommends that no discipline be imposed as a consequence of that failure. The California Supreme Court has asked me to advise you it has decided to follow that recommendation. The court is referring the conviction matter to the State Bar for a hearing and recommendation as to discipline to be imposed as a consequence of the conviction.

Very truly yours,



LAURENCE P. GILL
Clerk of the Supreme Court

LPG:kw

Enclosure

cc: State Bar of California

RECEIVED

JAN 24 1983

DIVISION OF
STATE BAR COURTS
LOS ANGELES

DECLARATION OF SERVICE

I, the undersigned, over the age of 18 years, whose business address and place of employment is 1230 West Third Street, Los Angeles, California, declare that I am not a party to the within action; that in the City and County of Los Angeles, on the date shown below, I deposited a true copy of the within

MINUTES OF REVIEW DEPARTMENT MEETING HELD ON SEPTEMBER 16, 1982

in a sealed envelope as follows:

In a facility regularly maintained by the United States Postal Service with postage thereon fully prepaid addressed to:

David Welford Williams, Jr., Esq.
One Topsail Street
Marina Peninsula, CA 90291

David Welford Williams, Jr., Esq.
10801 Sunset
Los Angeles, CA 90024

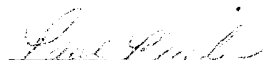
David Welford Williams, Jr., Esq.
P.O. Box 10411
Beverly Hills, CA 90213

In an inter-office mail facility regularly maintained by the State Bar of California addressed to:

JoAnne Earls Robbins, Attorney at Law

Dated: November 17, 1982

I declare under penalty of perjury at Los Angeles, California, on the date shown above, that the foregoing is true and correct.



Paul Bailer
Administrative Assistant
Office of the State Bar Court

FILED

JUN 22 1982

STATE BAR COURT
THE STATE BAR OF CALIFORNIA
DISTRICT 7

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

In the Matter of)	LOS ANGELES NO. 3540
DAVID WELFORD WILLIAMS,)	82-N-4 LA (B.M. 4450)
A Member of the State Bar.)	FINDINGS AND RECOMMENDATION OF REFEREE
<hr/>		<u>DECISION</u>

The above entitled matter came on regularly for hearing on June 9, 1982, at 10:00 a.m., at the offices of the State Bar of California, 1230 West Third Street, Los Angeles, California, pursuant to Notice of Time and Place of Hearing, before Elizabeth B. Spector, Principal Referee. David Welford Williams, respondent attorney, appeared personally; Joanne Earls Robbins, Esq., appeared as examiner on behalf of the State Bar. Paul Bailer appeared as a witness for the State Bar. The proceedings were reported by Marian Miller, CSR.

In the course of the hearing, the State Bar introduced into evidence as SB Exhibit 5 copy of Requests for Admissions served by mail on respondent on April 26, 1982, and moved for an order, pursuant to Section 2033 of the Code of Civil Procedure, deeming admitted all matters of which admission had been requested by reason of respondent's failure to serve and file a sworn statement or written objections within thirty (30) days after service of the requests. The referee took this motion under submission, and now denies it.

FINDINGS

1. At all times herein material respondent David Welford Williams was and now is a member of the State Bar of California.
2. By Order filed September 23, 1981 and effective October 23, 1981, the Supreme Court of the State of California ordered that respondent be suspended from the practice of law in this state

pending further order of the Court, as a result of his conviction of a crime involving moral turpitude.

3. Said Order further required that respondent comply with Rule 955, California Rules of Court, that he perform the acts specified in subdivision (a) of the rule within 30 days after October 23, 1981, and that he file the affidavit required by subdivision (c) of that rule within 40 days after October 23, 1981.

4. On or about September 28, 1981, a letter was addressed to respondent by the State Bar Court, at his address of record in the files of the State Bar, informing respondent of the aforesaid Order of the Supreme Court and of the requirements of Rule 955.

5. The letter of September 28, 1981 was not received by respondent because he had changed his address without filing a notice of change of address as required by Rule 201 of the Rules of Procedure of the State Bar of California. Respondent was not aware of Rule 201 and his obligation thereunder until the date of hearing herein.

6. Respondent was notified, through his then attorney, some time in the latter part of December 1981, of the aforesaid Order of the Supreme Court.

7. On or about January 13, 1982 the Supreme Court of the State of California issued its order referring to the State Bar of California the matter of respondent's failure to comply with the order of September 23, 1981, for a hearing and report as to whether respondent wilfully failed to comply with the provisions of that order.

8. Following notification of the Supreme Court's Order in December 1981, respondent acquainted himself with the provisions of Rule 955.

9. On or about January 28, 1982, 97 days after October 23, 1981 but within 40 days after respondent learned in December of the Supreme Court's Order, respondent filed with the State Bar copy of a declaration under penalty of perjury, addressed to the Supreme Court, in purported compliance with subdivision (c) of

Rule 955. The State Bar has made no contention that this declaration was not in fact filed with the Supreme Court on or about January 28, 1982, or that it is insufficient to meet the requirements of Rule 955(c).

10. Respondent has not engaged in the practice of law since late March 1981; as of October 23, 1981 he had no clients, he had no pending matters, and was engaged in no pending litigation.

11. On or about April 26, 1982, the State Bar served by mail upon respondent Requests for Admissions, pursuant to Section 2033 of the Code of Civil Procedure. As of the date of hearing, June 9, 1982, respondent had not filed a sworn statement or written objections in response to said Requests for Admissions.

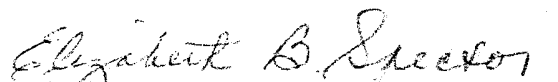
12. The State Bar has suffered no prejudice resulting from respondent's failure to respond or to object to the Requests for Admissions.

13. Respondent's failure to file on time the declaration required by Rule 955(c) was not wilful.

RECOMMENDATION

The hearing referee recommends that no discipline be administered to respondent for his failure to file the required declaration within 40 days of October 23, 1981.

DATED: June 19, 1982


ELIZABETH B. SPECTOR
Referee

DECLARATION OF SERVICE

I, the undersigned, over the age of 18 years, whose business address and place of employment is 1230 West Third Street, Los Angeles, California, declare that I am not a party to the within action; that in the City and County of Los Angeles, on the date shown below, I deposited a true copy of the within

DECISION

in a sealed envelope as follows:

In a facility regularly maintained by the United States Postal Service with postage thereon fully prepaid addressed to:

David Welford Williams, Jr., Esq.
One Topsail Street
Marina Pen, CA 90291

David Welford Williams, Jr., Esq.
10801 Sunset
Los Angeles, CA 90024

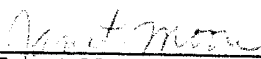
David Welford Williams, Jr., Esq.
P.O. Box 10411
Beverly Hills, CA 90213

In an inter-office mail facility regularly maintained by the State Bar of California addressed to:

Joanne Earls Robbins, Attorney at Law

Dated: July 7, 1982

I declare under penalty of perjury at Los Angeles, California, on the date shown above, that the foregoing is true and correct.



Janet Moore

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STATE BAR COURT
OF THE STATE BAR OF CALIFORNIA

DISTRICT 7

PUBLIC MATTER

In the Matter of)
)
DAVID WELFORD WILLIAMS) 82-N-4 LA
) Bar Misc. 4450
)
A Member of the State Bar)
_____)

**NOTICE OF TIME AND PLACE
OF HEARING UPON ISSUES
REFERRED BY SUPREME COURT**

TO DAVID WELFORD WILLIAMS:

Whereas on or about September 28, 1981 the Supreme Court filed an order directing you to comply with the provisions of rule 955, California Rules of Court (Duties of disbarred, resigned or suspended attorneys), in words reading in pertinent part as follows:

"Bar Misc. No. 4450

"IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

IN BANK

"IN THE MATTER OF THE SUSPENSION OF
DAVID WELFORD WILLIAMS, A MEMBER
OF THE STATE BAR OF CALIFORNIA

"David Welford Williams, Jr., having been convicted of violating Penal Code section 470, a crime involving moral turpitude, it is ordered pursuant to Business and Professions Code section 6102, subdivision (a), that he be suspended from the practice of law in this state pending further order of this court. It is further ordered that he comply with rule 955, California Rules of Court, and that he perform that acts specified in subdivisions (a)

1 and (c) of that rule within 30 and 40 days respectively, after the effective date of this
2 order. This order is effective October 23, 1981. Whereas, on or about January 13, 1982
3 the Supreme Court filed an order referring certain issues to the State Bar, in words as
4 follows:

5 "Bar Misc. No. 4450

6 **"IN THE SUPREME COURT OF THE STATE OF CALIFORNIA**

7 **IN BANK**

8
9 **"IN THE MATTER OF THE SUSPENSION OF**
10 **DAVID WELFORD WILLIAMS, A MEMBER**
11 **OF THE STATE BAR OF CALIFORNIA**
12

13 "Since it appears from our records that David Welford Williams, Jr., has not filed
14 an affidavit containing the matters specified in subdivisions (c) of rule 955, California
15 Rules of Court, and thus has failed to comply with our order filed herein on September
16 23, 1981, the above entitled matter is referred to The State Bar of California for a
17 hearing and report on whether he wilfully failed to comply with the provisions of that
18 order which were entered pursuant to rule 955 and, if so found, for a recommendation as
19 to discipline."

20 NOW, THEREFORE, you hereby are notified that a hearing will be held upon the
21 issues so referred, i.e., whether you wilfully failed to comply with the provisions of said
22 order of the Supreme Court filed September 28, 1981 that was entered pursuant to rule
23 955, California Rules of Court, and if so found, the nature and extent of the discipline to
24 be imposed, before Elizabeth Benson Spector, a referee of State Bar Court at the time
25 and place specified in the Notice appended at the end of this Notice to Time and Place
26 of Hearing.


27 YOU ARE FURTHER NOTIFIED to be present at such time and place, in person or
28 by counsel, or both, to present evidence on your behalf, to examine and cross-examine
witnesses and otherwise participate in the proceedings before the State Bar of California

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to be had upon such order of reference.

Dated: February 16, 1982

DEPARTMENT OF PRESIDING REFEREE



Janet Moore
Deputy Court Clerk
Office of the State Bar Court

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3 **NOTICE**
4

5 In re: 82-N-4 L.A. (B.M. 4450) - DAVID WELFORD WILLIAMS

6 Time and place of appearance and public hearing:*

7 Wednesday, June 9, 1982 at 10:00 a.m. at the offices of The State Bar of
8 California, 1230 West Third Street, Los Angeles, California, 90017.

9 The following Principal Referee to which this proceeding has been assigned is:

10 Elizabeth Benson Spector, Attorney at Law
11 2142 Princeton Avenue
12 Los Angeles, CA 90026
13 (213) 660-3621

14 The Examiner for the State Bar in this proceeding is:

15 Trial Counsel South
16 1230 West Third Street
17 Los Angeles, CA 90017
18 (213) 482-8220

19 -----
20 Your attention is directed to the Rules of Procedure of the State Bar, particularly
21 Rules 620 through 622

22 Your attention is also called to the Rules of Practice, particularly:

23 *Rule 225(a)(i) The hearings of this matter shall be public.

24 Rule 315-324 (Discovery) Time period for discovery is set forth in Rule 316;
25 conditions precedent to formal discovery in Rule 317.

26 Rule F.3 (Postponement of Trial Date) Continuances on motion of a party are
27 not favored and applications therefore must be supported by verified
28 statement of reasons showing good cause. All applications for continuances
must be directed only to Seymour Fried, Assistant Presiding Referee, 3540
Wilshire Boulevard, Suite 410, Los Angeles, California, 90010 with a copy to
State Bar Court, 1230 West Third Street, Los Angeles, California 90017. If
facts relied on are not ascertained until less than 5 days before trial they must
be brought to his attention by telephone at (213) 387-7007.

Upon an adequate showing of indigency, counsel may be appointed to represent
you. Applications for appointment of counsel should be submitted within
thirty days of receipt of this Notice and may be obtained from the Court
Clerk's Office of the State Bar of California, 1230 West Third Street, Los
Angeles, California 90017.

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA
IN BANK

IN THE MATTER OF THE SUSPENSION OF
DAVID WELFORD WILLIAMS, JR., A MEMBER
OF THE STATE BAR OF CALIFORNIA.

SUPREME COUR
FILED

JAN 13 1982

LAURENCE P. GILL, C

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Mosk, J., and Kaus, J., did not participate.

Since it appears from our records that David Welford Williams, Jr., has not filed an affidavit containing the matters specified in subdivision (c) of rule 955, California Rules of Court, and thus has failed to comply with our order filed herein on September 23, 1981, the above entitled matter is referred to The State Bar of California for a hearing and report on whether he wilfully failed to comply with the provisions of that order which were entered pursuant to rule 955 and, if so found, for a recommendation as to discipline.

Bird

Chief Justice

SUPREME COURT
FILED
SEP 23 1981
LAURENCE P. GILL, Clerk

Bar Misc. No. 4450

Deputy

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA
IN BANK

IN THE MATTER OF THE CONVICTION OF
DAVID WELFORD WILLIAMS, JR., A MEMBER
OF THE STATE BAR OF CALIFORNIA.

and Kaus, J.,
Mosk, J., did not participate.

David Welford Williams, Jr., having been convicted of violating Penal Code section 470, a crime involving moral turpitude, it is ordered pursuant to Business and Professions Code section 6102, subdivision (a), that he be suspended from the practice of law in this state pending further order of this court. It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days respectively, after the effective date of this order. This order is effective October 23, 1981.

I, LAURENCE P. GILL, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court, as shown by the records of my office.

Witness my hand and the seal of the Court this

day of SEP 23 1981 A.D. 19

By: 
Clerk


Chief Justice

Original

STATE BAR COURT
OF THE STATE BAR OF CALIFORNIA

FILED

MAR 05 1982

DISTRICT 7

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

In the Matter of)

) 82-N-4 LA

) Bar Misc. 4450

DAVID WELFORD WILLIAMS)

) DECLARATION OF PERSONAL
) SERVICE

A Member of the State Bar)

I, LLOYD O. BOGSTAD declare as follows: I am a citizen of the United States and am employed in the City and County of Los Angeles, State of California; I am over the age of eighteen and am neither the complaining witness nor the examiner to the within and above-entitled matter.

I served the Notice of Time and Place of Hearing dated February 16, 1982, Notice appended thereto; letter dated February 16, 1982; Rules of Procedure and Rules of Practice in this proceeding by personally delivering to and leaving a copy thereof with the following person on the date set opposite his/her name, to wit:

DAVID WELFORD WILLIAMS (3/2/82) (3⁰⁰ PM)
LOBBY THE STATE BAR OF CALIFORNIA
1230 W. 3RD ST, LOS ANGELES, CA

I certify under penalty of perjury that the foregoing is true and correct.

Executed in the City and County of LOS ANGELES on 3/2/82

Lloyd O. Bogstad

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Original

STATE BAR COURT
OF THE STATE BAR OF CALIFORNIA
DISTRICT 7

FILED

MAR 03 1982

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

In the Matter of)
DAVID WELFORD WILLIAMS)
A Member of the State Bar)

82-N-4 L.A.
Bar Misc. 4450

ACKNOWLEDGEMENT OF RECEIPT
OF NOTICE TO SHOW CAUSE

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I, David Welford Williams acknowledge on March 2, 1982

receipt of a copy of the Notice of Time and Place of Hearing and Notice
appended thereto in the above-entitled proceeding, and copy of Rules of
Procedure of the State Bar and Rules of Practice at

Lobby of State Bar, 1230 W. 3rd St,
L.A.

Date of execution: March 2, 1982

David Welford Williams

DAVID WELFORD WILLIAMS