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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE MATTER OF
Spencer Freeman Smith #236587

Case No. [15-mc-80127-JD](#)

**ORDER DISCHARGING ORDER TO
SHOW CAUSE**

On June 11, 2015, the Court issued an order to show cause why Mr. Smith’s membership in this Court’s bar should not be suspended because the State Bar Court had, as of April 15, 2015, suspended Mr. Smith following a criminal conviction. Dkt. No. 2.

On June 16, 2015, Mr. Smith filed with the Court -- with no accompanying explanation or statement -- an order dated April 17, 2015, that was issued by the State Bar Court of California’s Review Department and which vacates Mr. Smith’s “interim suspension imposed pursuant to [the State Bar Court’s] April 3, 2015 order.” Dkt. No. 3. The State Bar Court order states that “the superior court accepted Respondent’s withdrawal of his no contest plea, making his conviction no longer valid,” and that the Office of the Chief Trial Counsel of the State Bar had stated that it would inform the State Bar Court “if respondent is later convicted of the pending charges against him.” *Id.*

Mr. Smith has apparently now decided to fight the criminal charges that were filed against him in California state court. Consequently, the Court will, as the State Bar Court has done, lift its interim suspension of Mr. Smith’s membership, pending the outcome of the criminal case.

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The prior order to show cause, Dkt. No. 2, is therefore discharged, but Mr. Smith must inform this Court in writing within 10 days in the event he should again be “convicted of a felony, suspended, disbarred or placed on disciplinary probation by any court.” Civil Local Rule 11-7(a).

IT IS SO ORDERED.

Dated: June 19, 2015



JAMES DONATO
United States District Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE MATTER OF
Spencer Freeman Smith #236587

Case No. [15-mc-80127-JD](#)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 6/17/2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Spencer Freeman Smith
Smith Patten
353 Sacramento Street, Suite 1120
San Francisco, CA 94111

Dated: 6/17/2015

Richard W. Wieking
Clerk, United States District Court

<<S>>
By: *Lisa R. Clark*
Lisa R. Clark, Deputy Clerk to the
Honorable James Donato