



The State Bar  
*of California*

OFFICE OF CHIEF TRIAL COUNSEL  
ENFORCEMENT

845 S. Figueroa Street, Los Angeles, CA 90017

213-765-1205

michelle.king@calbar.ca.gov

June 3, 2020

**PERSONAL AND CONFIDENTIAL**

Darryl Cotton  
6176 Federal Blvd.  
San Diego, CA 92114

Re: Respondent: Stephen Cline  
Case Number: 20-O-02530

Dear Mr. Cotton:

I am writing to inform you that the State Bar has decided to close your complaint against Stephen Cline.

Please understand that the State Bar cannot proceed with disciplinary charges unless we can present evidence and testimony in court sufficient to prove by clear and convincing evidence that the attorney has committed a violation of the State Bar Act or the Rules of Professional Conduct. The violation must be serious enough to support both a finding of culpability and the imposition of professional discipline. In some cases, there may be evidence of attorney malfeasance or negligence, but this evidence may be insufficient to justify the commencement of a disciplinary proceeding or to be successful at a disciplinary trial.

After carefully reviewing the information that you provided in your complaint and interview, this office has concluded that we would not be able to prevail in a disciplinary proceeding.

You hired Mr. Cline to represent you in a forfeiture matter. You alleged that the City of San Diego's seizure of your property was illegal and that Mr. Cline did not take appropriate action to fight this or file charges against the City. Instead, Mr. Cline negotiated a deal with the District Attorney to settle the matter.

According to the facts of your case, Mr. Cline negotiated a settlement agreement for you, to which you agreed. That you are unsatisfied with the way that Mr. Cline handled your case and that he did not take action to oppose what you believe was illegal on the part of opposing counsel are not causes for professional discipline. Under the laws of California, the facts that you alleged against Mr. Cline, if proved, would not be grounds for disciplinary action. It is misconduct for an attorney to act intentionally, recklessly, or with gross negligence to provide incompetent legal services.

San Francisco Office  
180 Howard Street  
San Francisco, CA 94105

[www.calbar.ca.gov](http://www.calbar.ca.gov)

Los Angeles Office  
845 S. Figueroa Street  
Los Angeles, CA 90017

This does not mean that poor judgment or simple negligence by an attorney provides a basis for discipline, even if it supports a claim for civil damages. Here, the facts that you presented would not establish that Mr. Cline acted intentionally, recklessly, or with gross negligence to provide incompetent legal services.

If you would like to further discuss this matter or provide additional information or documentation, we request but do not require that you call us or send us the information within ten days of the date of this letter. You may leave a voice mail message with attorney Jessica Jorgensen at (213) 765-1409. In your message, be sure to clearly identify the lawyer complained against, the case number assigned to your complaint, and your name and return telephone number, including area code. The attorney will return your call as soon as possible.

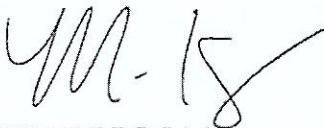
If you have presented all of the information that you wish to have considered, and you disagree with the decision to close your complaint, you may request that the State Bar's Complaint Review Unit review your complaint. The Complaint Review Unit will recommend that your complaint be reopened if it determines that further investigation is warranted. To request review by the Complaint Review Unit, you must submit your request in writing, **post-marked within 90 days of the date of this letter**, to:

The State Bar of California  
Complaint Review Unit  
Office of General Counsel  
180 Howard Street  
San Francisco, CA 94105-1617.

If you decide to send new information or documents to this office, the 90-day period will continue to run during the time that this office considers the new material. You may wish to consult with legal counsel for advice regarding any other available remedies. You may contact your local or county bar association to obtain the names of attorneys to assist you in this matter.

We would appreciate if you would complete a short, anonymous survey about your experience with filing your complaint. While your responses to the survey will not change the outcome of the complaint you filed against the attorney, the State Bar will use your answers to help improve the services we provide to the public. The survey can be found at <http://bit.ly/StateBarSurvey2>.

Respectfully,



Michelle King  
Investigator

MK:wss