



The State Bar of California

OFFICE OF CHIEF TRIAL COUNSEL

845 S Figueroa Street, Los Angeles, CA 90017

Tel: 213-765-1000

Attorney Misconduct Complaint Form

Your Contact Information

First Name: Darryl	Middle Name: Gerard		
Last Name: Cotton			
Address: 6176 Federal Blvd			
City: San Diego	State: CA	Zip: 92114	
Email: indagrodarryl@gmail.com			
Home Phone: none	Work: none	Cell: 619.954.4447	

Attorney's Information

First Name: Michael	Middle Name: Travis		
Last Name: Phelps			
Address: 1200 3rd Ave Ste 1100			
City: San Diego	State: CA	Zip: 92101	
Email: mphelps@sandiego.gov	CA Bar License #: 258246		
Home Phone: unknown	Work Phone: (619) 533-5800		
Cell Phone: unknown	Website: www.sandiego.gov/cityattorney		

Have you or a member of your family complained to the State Bar about this attorney previously?

☐ YES ☒ NO

Did you hire this attorney?

☐ YES ☒ NO

Enter the approximate date you hired the attorney and the amount paid (if any) to the attorney.

Date: _____ Amount Paid: _____

What is your connection to this attorney? Explain briefly.

I filed this complaint seeking an Alternative Writ of Mandate against the City of San Diego so that I would have among other things, court protection of my property rights during the application process for a City of San Diego Conditional Use Permit being applied for on my property that was under the entire control of Larry Geraci who I was in litigation with over the sale of my property and the joint venture language he failed to reduce to writing. Geraci had a financial interest in seeing the CUP denied because he knew I was not going to sell the property to him. Where the City/Phelps failed me is that they had an obligation to tell the court the 3 sentence document that Geraci was claiming was a fully integrated binding contract. In their response the City/Phelps took the position they had no obligation to respond to the complaint and Judge Wohlfeil accepted that argument. This is absurd! A first year law student could look at that document and see that it wasn't a contract/agreement! Phelps failed in his obligations to the court in his response which helped perpetuate a fraud upon Cotton and the court.

Attorney's Information

Statement of Complaint

Include with your submission, a statement of what the attorney did or did not do that is the basis of your complaint. Please state the facts as you understand them. Do not include opinions or arguments. If you hired the attorney(s), state what you hired the attorney(s) to do. Additional information may be requested.

Phelps replied on behalf of the City of San Diego that the Civil Litigation which was occurring between myself and Geraci in Geraci v Cotton 37-2017-000 10073 was not

Related Court Case Information (If known)

Name of Court: Superior Court

Case Name: Cotton v City of San Diego et al

Case Number: 37-2017-00037675

Approx. date case was filed: 11/21/17

Size of law firm complained about: NA

If you are not a party to this case, what is your connection with it? Explain briefly.

I am a party.

Translation Information☒ Not Applicable

The State Bar accepts complaints in over 200 languages. If you need translation services to communicate with the State Bar, please let us know by completing this section of the complaint form. We will communicate with you through a translation service in the language of your choice. Do you need translation services?

☐ YES☒ NO

Please state the language in which you need formal translation:

The State Bar's mission is to protect complainants regardless of their immigration status. Complainants who are unable to complete this form due to disability, language restrictions, or other circumstances may obtain help by calling the complaint line at 800-843-9053.

Attestation

By checking this box I certify that all information on this form is true and correct. I understand that the content of my complaint can be disclosed to the attorney. I understand that I waive the attorney client privilege and any other applicable privilege between myself and the attorney to the extent necessary for the investigation and prosecution of the allegations.

Signature: 

Date: 02/06/2020