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STATE BAR COURT
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**REVIEW DEPARTMENT OF THE STATE BAR COURT
IN BANK**

In the Matter of

DANIEL BLAINE DORFMAN,

A Member of the State Bar.

) 05-C-01831

) RECOMMENDATION OF SUMMARY
) DISBARMENT

The State Bar's request for recommendation of summary disbarment, filed on August 19, 2005, is granted. On August 24, 2005, we filed an order to show cause directing respondent Daniel Blaine Dorfman to show why we should not recommend his summary disbarment to the Supreme Court. Respondent did not file a response.

In October 2004, respondent was convicted of one count of mail fraud (18 U.S.C. § 1341), a felony. As a result of respondent's conviction, we placed him on interim suspension effective June 19, 2005, and he has remained on interim suspension since that time. Respondent's conviction is now final.

Respondent's conviction is conclusive evidence that he is guilty of mail fraud. (Bus. & Prof. Code, § 6101, subd. (a).) He is conclusively presumed to have committed all of the acts necessary to constitute the offense. (*In re Duggan* (1976) 17 Cal.3d 416, 423.) An element of the crime of mail fraud is the specific intent to defraud. (*In re Utz* (1989) 48 Cal.3d 468, 482.)

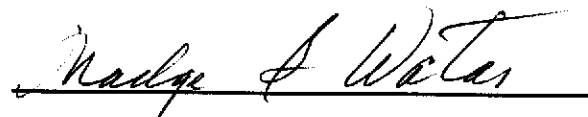
Accordingly, the record of conviction establishes that respondent's conviction meets the two criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c) as amended effective January 1, 1997. First, respondent's conviction is a felony, and second, an element of the offense is the specific intent to deceive, defraud, steal, or make or



suborn a false statement.

When an attorney's conviction meets the requirements of Business and Professions Code section 6102, subdivision (c), "the attorney is not entitled to a State Bar Court hearing to determine whether lesser discipline is called for." (*In re Paguirigan* (2001) 25 Cal.4th 1, 4-7.) Disbarment is mandatory. (*Id.* at p. 9; see also *In re Lesansky* (2001) 25 Cal.4th 11.)

We therefore recommend that respondent Daniel Blaine Dorfman, State Bar number 152430, be summarily disbarred from the practice of law in this state. We also recommend that respondent be ordered to comply with California Rules of Court, rule 955 and to perform the acts specified in paragraphs (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court's order. Finally, we recommend that the costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and that such costs be payable in accordance with Business and Professions Code section 6140.7.


Acting Presiding Judge

CERTIFICATE OF SERVICE
[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court. 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 September 30, 2005, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT
FILED SEPTEMBER 30, 2005

in a sealed envelope for collection and mailing on that date as follows:

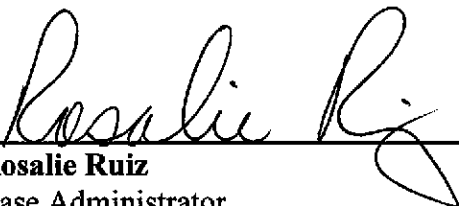
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

DANIEL B. DORFMAN
LAW OFC DANIEL DORFMAN
78670 HWY 111 #206
LA QUINTA, CA 92253

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

DANE DAUPHINE, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **September 30, 2005**.



Rosalie Ruiz
Case Administrator
State Bar Court