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

In the Matter of)	Case No.: 05-C-03068
)	
PAUL TRANEL SELZER)	
)	RECOMMENDATION OF SUMMARY
Member No. 38228)	DISBARMENT
)	
<u>A Member of the State Bar.</u>)	

On September 3, 2010, the State Bar filed a request for recommendation of summary disbarment based on Paul Tranel Selzer's felony conviction. Selzer did not file a response. We grant the request and recommend that Selzer be summarily disbarred.

On July 14, 2008, Selzer pled guilty to a felony violation of title 26 United States Code section 7212(a) (corrupt endeavor to obstruct the due administration of the Internal Revenue Code). Effective October 13, 2008, we placed Selzer on interim suspension. On September 3, 2010, the State Bar transmitted evidence that Selzer's conviction was final.

After the judgment of conviction becomes final, "the Supreme Court shall summarily disbar the attorney if the offense is a felony . . . and an element of the offense is the specific intent to deceive, defraud, steal, or make or suborn a false statement, or involved moral turpitude." (Bus. & Prof. Code, § 6102, subd. (c).) The record of conviction establishes that Selzer's criminal violation meets the statutory criteria for summary disbarment. First, the offense is a felony. (Bus. & Prof. Code, § 6102, subd. (d).) Second, the offense involves moral turpitude. (*Ibid.*)

Selzer was convicted of "corruptly endeavor[ing] to impede the due administration of the internal revenue laws." A violation of section 7212(a) requires proof of the following



elements: “(1) corruption, force, or threat of force, and (2) an attempt to obstruct the administration of the [Internal Revenue Service].” (*United States v. Hanson* (9th Cir. 1993) 2 F.3d 942, 946.) “Corruption” under this statute requires an act to be “performed with the intention to secure an unlawful benefit for oneself or for another . . . [and m]ere evidence of an improper motive or bad or evil purpose is insufficient to prove corruption.” (*Id.* at pp. 946-947.) This conduct amounts to the obstruction of justice. (*United States v. Van Krieken* (9th Cir. 1994) 39 F.3d 227, 231.) Crimes involving the obstruction of justice involve moral turpitude per se. (*In re Craig* (1938) 12 Cal.2d 93, 97 [“conspiring to corruptly influence, obstruct, impede, hinder and embarrass the due administration of justice . . . falls easily within the definition of ‘moral turpitude.’”].)

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, 7.) Disbarment is mandatory. (*Id.* at p. 9.)

We therefore recommend that Paul Tranel Selzer, State Bar number 38228, be disbarred from the practice of law in this state. We also recommend that Selzer be ordered to comply with rule 9.20 of the California Rules of Court and to perform the acts specified in subdivisions (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 section 6086.10 of the Business and Professions Code and that such costs be enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.



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 November 1, 2010, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY
DISBARMENT, FILED NOVEMBER 1, 2010

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

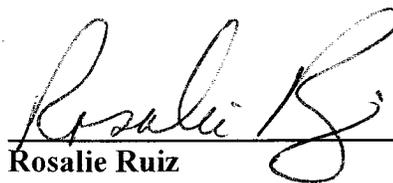
by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

PAUL TRANEL SELZER
ATTORNEY AT LAW
1037 S PALM CANYON DR
PALM SPRINGS, CA 92264 – 8378

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

KRISTEN RITSEMA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 1, 2010.



Rosalie Ruiz
Case Administrator
State Bar Court