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MAY 17 2011
STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

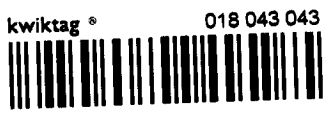
In the Matter of)
SALVATORE PATRICK OSIO,)
A Member of the State Bar, No. 34322.)
_____)
Case No. 06-C-11150
RECOMMENDATION OF SUMMARY
DISBARMENT

On April 18, 2011 the State Bar filed a request for recommendation of summary disbarment based on Salvatore Patrick Osio's felony conviction. Osio did not file a response. We grant the request and recommend that Osio be summarily disbarred.

On June 15, 2007, a jury found Osio guilty of four felony counts of violating Penal Code sections 118, subdivision (a) (perjury), 470, subdivision (d) (forgery), 487, subdivision (a) (grand theft) and 368, subdivision (d) (theft from elder or dependent adult). As a result of his conviction, we issued an order placing Osio on interim suspension effective August 10, 2007.¹ On April 18, 2011, the State Bar transmitted evidence that Osio's conviction is 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

¹ In an order filed May 13, 2008, the review department reinstated Osio's interim suspension after the Supreme Court vacated its order accepting Osio's resignation.

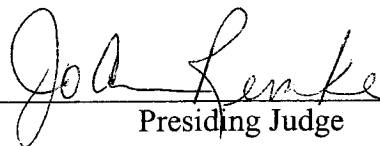


Osio's violations meet the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c).

First, the offenses are felonies. (Bus. & Prof. Code, § 6102, subd. (b).) Second, his offenses of perjury, forgery, and grand theft involve moral turpitude per se.² (*In re Kristovich* (1976) 18 Cal.3d 468, 472 [perjury]; *In re Prantil* (1989) 48 Cal.3d 227, 234 [forgery]; *In re Basinger* (1988) 45 Cal.3d 1348, 1358 [grand theft].)

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 Salvatore Patrick Osio, State Bar number 34322, be disbarred from the practice of law in this state. We also recommend that Osio 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

² We do not base our summary disbarment recommendation on Osio's violation of Penal Code section 368, subdivision (d).

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 May 17, 2011, I deposited a true copy of the following document(s):

**RECOMMENDATION OF SUMMARY
DISBARMENT FILED MAY 17, 2011**

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

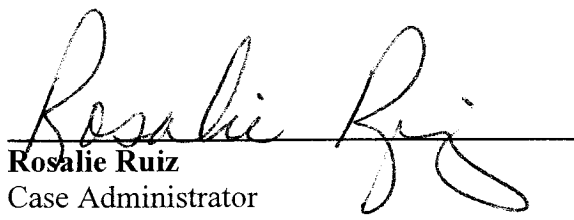
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**SALVATORE P OSIO
25635 TAHQUITZ DR
PO BOX 1079
IDYLLWILD, CA 92549 - 1079**

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

MURRAY B. GREENBERG, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 17, 2011.


Rosalie Ruiz
Case Administrator
State Bar Court