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STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 06-C-12820
)	
ROSEMARY BELLE GREENLAW,)	RECOMMENDATION OF
)	SUMMARY DISBARMENT
A Member of the State Bar, No. 166102.)	
_____)	

On April 22, 2013, the State Bar's Office of the Chief Trial Counsel (OCTC) filed a request for summary disbarment based on Rosemary Belle Greenlaw's felony conviction. After Greenlaw failed to file a response, we granted the motion and recommended her disbarment. On May 17, 2013, Greenlaw filed an ex parte request under seal, which sought a rescission of our summary disbarment recommendation and an extension of time to respond to the motion. We vacated the recommendation and granted Greenlaw an extension of time to file a response to the motion. Despite multiple extensions, Greenlaw filed a late response on April 28, 2014. We again grant the motion and recommend Greenlaw be summarily disbarred.

A. Procedural History

On October 19, 2007, a jury found Greenlaw guilty of two felony counts of violating Penal Code section 115.¹ We placed Greenlaw on interim suspension effective February 11,

¹ Under this statute, "Every person who knowingly procures or offers any false or forged instrument to be filed, registered, or recorded in any public office within this state, which instrument, if genuine, might be filed, registered, or recorded under any law of this state or of the United States, is guilty of a felony."



2008. In May 2008, Greenlaw appealed her conviction. In an unpublished opinion filed February 18, 2010, the Court of Appeal reversed the judgment of conviction on one count and remanded the matter for restitution and sentencing on the remaining count. After remand, Greenlaw appealed the trial court's order requiring victim restitution. The Court of Appeal affirmed the restitution order in an unpublished opinion filed December 9, 2011. The Supreme Court denied review on February 22, 2012.

B. Summary Disbarment Requirements

After a 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).) Greenlaw's conviction satisfies the criteria for summary disbarment.

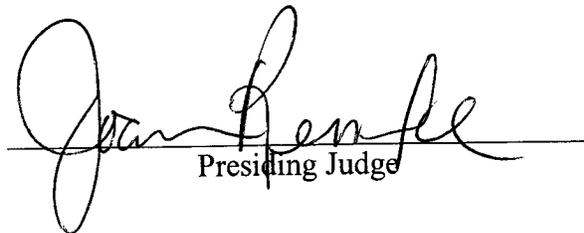
First, Greenlaw was charged with and a jury found her guilty of a felony. Second, Greenlaw committed a crime involving moral turpitude per se. The essential elements of a violation of Penal Code section 115 are: (1) defendant procured or offered a false or forged instrument to be filed, registered, or recorded in a public office in this state; (2) if genuine the instrument was proper to file, register or record; and (3) the defendant knew that the instrument was false or forged. (CALJIC No. 15.06 (Fall ed. 2012).) When an element of a crime requires "knowledge of the falsity of certain facts or documents, or of the illegality of certain conduct," the offense involves moral turpitude. (*In re Bloom* (1987) 44 Cal.3d 128, 134.) Additionally, the act of knowingly offering a fraudulent instrument as genuine and true necessarily involves moral turpitude. (*In re Jones* (1971) 5 Cal.3d 390, 400.)

Greenlaw's opposition to OCTC's request for summary disbarment does not dispute that she was convicted of a felony, only arguing that her acts did not involve moral turpitude.

However, Greenlaw fails to cite any authority to support of her assertion that her crime did not involve 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 Rosemary Belle Greenlaw, State Bar number 166102, be disbarred from the practice of law in this state. We also recommend that Greenlaw be ordered to comply with California Rules of Court, rule 9.20 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 order in this case. Finally, we recommend that 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

[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 June 2, 2014, I deposited a true copy of the following document(s):

**RECOMMENDATION OF SUMMARY DISBARMENT
FILED JUNE 2, 2014**

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

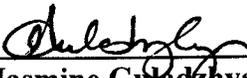
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**ROSEMARY B. GREENLAW
110 HOBSON ST
SAN JOSE, CA 95110**

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

DONALD R. STEEDMAN, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 2, 2014.



Jasmine Guladhyan
Case Administrator
State Bar Court