

Crime(s) of which convicted and classification(s):

1. Violations of 18 U.S.C. § 1546(a) (Knowing false statements under oath or penalty of perjury in asylum applications) and 18 U.S.C. § 2 (aiding abetting said violation), as found under Count 5, a felony that necessarily involves moral turpitude. U.S. v. Chu (9th Cir. 1993) 5 F.3d 1244 (discussing oath requirement); see also In re Jones (1971) 5 Cal. 3d 390 (subornation of perjury involves moral turpitude); see also In re Young (1989) 49 Cal.3d 264 (accessory to felony involves moral turpitude); see also In the Matter of Jebbia (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 51, 53 (false statements to federally insurance financial institution constitutes moral turpitude per se).

2. Violation of 18 U.S.C. §371 (conspiracy to defraud the United States and to violate 18 U.S.C. § 1546(a)), as found under Count One, a felony that necessarily involves moral turpitude. Conspiracy involves moral turpitude per se if the object of the conspiracy involves moral turpitude (see In re McAllister (1939) 14 Cal.2d 602, 603). The conspiracy to defraud the United States is a crime that may or may not involve moral turpitude (e.g., In re Chernik (1989) 49 Cal.3d 467; In the Matter of Rech (Review Dept. 1995) 3 Cal. State Bar Ct. Rptr. 310, 313). However, the conspiracy to violate section 1546(a) involves moral turpitude because, as noted above, the violation of section 1546(a) involves moral turpitude per se.

3. Violation of 18 U.S.C. §§ 2, 1001 (Aiding and abetting false statements), as found under Counts 15 and 18, felonies that may or may not involve moral turpitude (Matanky v. Board of Medical Examiners (1978) 79 Cal.App.3d 293, 302, 144 Cal.Rptr. 826; In re Effenbeck (1988) 44 Cal.3d 306, 307 (Supreme Court referral on the issue of moral turpitude); In re Aquino (1989) 49 Cal.3d 1122, 1128 (same); see also In re Bloom (1987) 44 Cal.3d 128, 130. In all instances, the Supreme Court eventually determined that the crime involved moral turpitude.

4. Violation of 18 U.S.C. §371 (conspiracy to make false statements in violation of 18 U.S.C. §§ 2, 1001), as found under Count 17, a felony that may or may not involve moral turpitude. Conspiracy involves moral turpitude per se if the object of the conspiracy involves moral turpitude (see In re McAllister (1939) 14 Cal.2d 602, 603). The conspiracy to violate sections 2 and 1001 may or may not involve moral turpitude because, as noted above, the violation of sections 2 and 1001 may or may not involve moral turpitude.

3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.

4. Other information to assist the State Bar Court

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DOCUMENTS TRANSMITTED:

Criminal Docket

Second Superseding Indictment filed December 13, 2007

Verdict filed June 25, 2009

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: July 20, 2009

BY: Lawrence J Dal Cero
Jeff Dal Cero
Assistant Chief Trial Counsel

A copy of this transmittal and its
Attachments have been sent to:

PERSONAL & CONFIDENTIAL

MANJIT K. RAI

8138 Westpoint Cir

Discovery Bay, CA 94505

DECLARATION OF SERVICE BY REGULAR MAIL

CASE NUMBER: 06-C-14844

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit. That in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco, on the date shown below, a true copy of the within

TRANSMITTAL OF CONVICTION RE MANJIT K. RAI

in a sealed envelope placed for collection and mailing as regular mail, at San Francisco, on the date shown below, addressed to:

PERSONAL & CONFIDENTIAL

MANJIT K. RAI

8138 Westpoint Cir

Discovery Bay, CA 94505

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, on the date shown below.

Signed: _____

James Wellen

Date: _____

7/21/09