



**FILED**

JUN 10 2009  
STATE BAR COURT  
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**REVIEW DEPARTMENT OF THE STATE BAR COURT  
IN BANK**

In the Matter of	)	Case No.: 07-C-10856
	)	
STEVEN JAMES RODRIGUEZ	)	
	)	RECOMMENDATION OF SUMMARY
	)	DISBARMENT
A Member of the State Bar.	)	
_____	)	

The State Bar's motion for reconsideration is granted, and for the reasons set forth below, we recommend that respondent Steven James Rodriguez by summarily disbarred.


On October 5, 2007, Rodriguez signed a plea agreement in which he pled guilty to submitting to the Immigration and Naturalization Service a form which he knew contained a material false statement in violation of title 18 United States Code section 1001. As a result of his felony conviction, we placed Rodriguez on interim suspension effective December 30, 2007, and he has remained suspended since that time. On January 9, 2008, after finality of the conviction, the State Bar filed a request for summary disbarment, which we denied on June 20, 2008. The State Bar filed a request for reconsideration on June 25, 2008, contending that the crime for which Rodriguez was convicted subjects him to summary disbarment because it included the specific intent to make or suborn a false statement.

Upon reconsideration, we conclude the record of conviction establishes that Rodriguez's criminal violation meets the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c). First, the offense is a felony. (18 U.S.C. § 3559, subd. (a).)

Second, an element of this offense requires a statement be made with knowledge of its falsity. (*United States v. Yermian* (1984) 468 U.S. 63, 64-65; *United States v. Boone* (9<sup>th</sup> Cir. 1991) 951 F.2d 1526, 1544 [essential elements of offense are statement, falsity, materiality, specific intent, and agency jurisdiction].) Such an offense not only involves moral turpitude,<sup>1</sup> but it is a specific ground for summary disbarment under the literal language of the statute as it involves the "specific intent to . . . make . . . a false statement." (Bus. & Prof. Code, § 6102, subd. (c).)

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 respondent Steven James Rodriguez be disbarred from the practice of law in this state. We also recommend that he 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

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<sup>1</sup> We initially classified this crime as one for which there was probable cause to believe that it involved moral turpitude.

**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 June 10, 2009, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILE JUNE 10, 2009

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

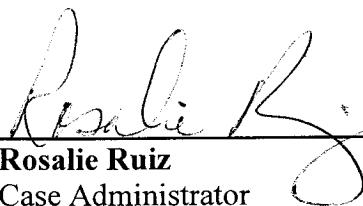
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**STEVEN J. RODRIGUEZ**  
**2544 COBBLECREEK CT**  
**THOUSAND OAKS, CA 91362**

- [X] 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 June 10, 2009.

  
\_\_\_\_\_  
**Rosalie Ruiz**  
Case Administrator  
State Bar Court