

FILED

SEP 16 2010
STATE BAR COURT
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**REVIEW DEPARTMENT OF THE STATE BAR COURT
IN BANK**

In the Matter of)
)
)
WON SOK LEE)
)
)
)
A Member of the State Bar.)

07-C-12152

**RECOMMENDATION OF SUMMARY
DISBARMENT**

On July 28, 2010, the State Bar filed a motion recommending that Won Sok Lee, State Bar No. 199957, be summarily disbarred based on his felony conviction. Respondent did not oppose the motion. Based on the record of conviction, we recommend that Lee be disbarred.

On June December 11, 2009, Lee was convicted of one count of conspiracy to commit mail fraud and wire fraud (18 U.S.C. § 371 (1341/1343)), and one count of wire fraud (18 U.S.C. § 1343). As a result of Lee's conviction, we placed him on interim suspension effective September 10, 2010. Lee's conviction is final. (Cal. Rules of Court, rule 9.10(a).)

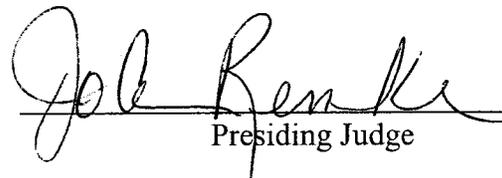
The record of conviction establishes that Lee's conviction meets the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c). First, his offenses are felonies. (Bus. & Prof. Code, § 6102, subd. (b); 18 U.S.C. § 3559(a)(2)-(3).) Second, an element of the offenses is the specific intent to defraud. (Bus. & Prof. Code, § 6102, subd. (c).) Title 18 United States Code section 1343 states: "Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be



transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both. If the violation . . . affects a financial institution, such person shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.” Thus, “[w]ire fraud has three elements: a scheme to defraud, use of the wires in furtherance of the scheme, and the specific intent to defraud. [Citation.]” (*United States v. McNeil* (9th Cir. 2003) 320 F.3d 1034, 1040.)

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, 4-7.) Disbarment is mandatory. (*Id.* at p 9.)

We therefore recommend that respondent Won Sok Lee, State Bar No. 199957, be summarily disbarred from the practice of law in this state. We also recommend that he 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’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 & 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 September 16, 2010, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED SEPTEMBER 16, 2010

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

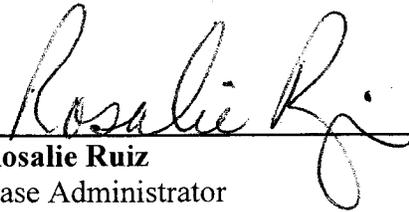
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**WON S. LEE
PMB 717
222 LAKEVIEW AVE #160
WEST PALM BEACH, FL 33401**

- [X] 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 September 16, 2010.



Rosalie Ruiz
Case Administrator
State Bar Court