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OCT 05 2010

STATE BAR COURT
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**REVIEW DEPARTMENT OF THE STATE BAR COURT
IN BANK**

In the Matter of)	Case No.: 09-C-10717
)	
THOMAS JOHN HASTERT)	
)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar.)	
_____)	

On August 24, 2010 the State Bar filed a request for recommendation of summary disbarment based on Thomas John Hastert's felony conviction. Hastert did not file a response. We grant the request and recommend that Hastert be summarily disbarred.

On August 7, 2009, Hastert pled nolo contendere to 14 felony counts of violating Penal Code section 487/506 (grand theft/embezzlement).¹ As a result of his conviction, we issued an order placing Hastert on interim suspension, effective October 12, 2009. On August 24, 2010, the State Bar transmitted evidence that Hastert'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).)

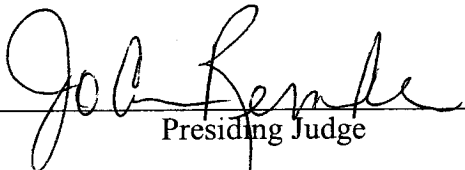
¹ Hastert was also convicted of violating Corporations Code sections 25110/25540 (offer or sale of unqualified securities) (24 counts) and 25401/25540 (sale of securities using communications containing false statements or omissions) (24 counts), felonies which may or may not involve moral turpitude. We recommend summary disbarment based on the grand theft/embezzlement convictions.



The record of conviction establishes that Hastert's criminal violation meets the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c). First, the offense is a felony. (Bus. & Prof. Code, § 6102, subd. (b).) Second, the offense involves moral turpitude. (*In re Vaughn* (1985) 38 Cal.3d 614, 615 [grand theft in violation of section 487 necessarily involves moral turpitude]; *In re Lyons* (1975) 15 Cal.3d 322, 324, fn. 3 [section 506 requires a fraudulent intent to misappropriate entrusted funds and necessarily involves 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 Thomas John Hastert, State Bar number 143101, be disbarred from the practice of law in this state. We also recommend that Hastert 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

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 October 5, 2010, I deposited a true copy of the following document(s):

**RECOMMENDATION OF SUMMARY
DISBARMENT FILED OCTOBER 5, 2010**

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

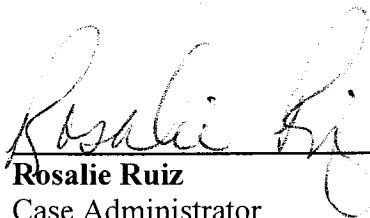
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**THOMAS J. HASTERT
LAW OFC THOMAS J HASTERT
PO BOX 2432
GRASS VALLEY, CA 95945**

- [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 October 5, 2010.



Rosalie Ruiz
Case Administrator
State Bar Court