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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. 09-C-13657
)	
ROBERT MAXWELL JASON,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 100944.)	
_____)	

On September 15, 2011, the State Bar filed a request for recommendation of summary disbarment based on Robert Maxwell Jason's felony conviction. Jason did not file a response. We grant the request and recommend that Jason be summarily disbarred.

In June 2009, Jason pled guilty to a violation of title 26 United States Code section 7206(1) (filing false tax return). Effective September 28, 2009, we placed Jason on interim suspension. On September 30, 2009, the Supreme Court declined to accept Jason's voluntary resignation with charges pending. On September 15, 2011, the State Bar transmitted evidence that Jason's conviction was 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).) The record of conviction establishes that

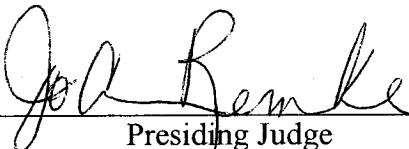


Jason's violation of 26 United States Code section 7206(1) (filing false tax return) meets the criteria for summary disbarment.

First, the statute defines this crime as a felony. (26 U.S.C. § 7206.) Second, the crime inherently involves moral turpitude. A conviction under this statute requires the government prove that a defendant specifically intended the return to be false. (*U.S. v. Friedland* (D.N.J. 1980) 502 F.Supp 611, 619.) Intentionally making such false statements necessarily involves moral turpitude. (*Chefsky v. State Bar* (1984) 36 Cal.3d 116, 124.)

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 Robert Maxwell Jason, State Bar number 100944, be 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 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 of California. 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 14, 2011, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED OCTOBER 14, 2011

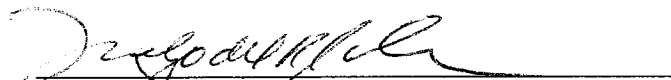
in a sealed envelope for collection and mailing on that date as follows:

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

ROBERT MAXWELL JASON
227 S BEDFORD DR
BEVERLY HILLS, CA 90212
- by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:
- by overnight mail at , California, addressed as follows:
- by fax transmission, at fax number . No error was reported by the fax machine that I used.
- By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Murray B. Greenberg, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 14, 2011.


Milagro del R. Salmeron
Case Administrator
State Bar Court