

FILED
JUN 03 2016
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT OF CALIFORNIA
REVIEW DEPARTMENT

IN BANK¹

In the Matter of)	Case No. 09-C-14246
)	
ALFRED NASH VILLALOBOS,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 194000.)	
_____)	

On May 2, 2016, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed a Motion for Summary Disbarment based on respondent's felony convictions. Respondent did not respond. We grant the Motion and recommend that respondent be summarily disbarred.

On August 31, 2011, a jury found respondent guilty of violating Title 18 United States Code sections 1503(a) (endeavoring to obstruct justice) and 1951(a) (interfering with commerce by extortion). As a result of respondent's felony convictions, we placed him on interim suspension, effective December 9, 2011, and he has remained on interim suspension since that time. Respondent appealed his convictions to the United States Court of Appeals, Ninth Circuit.

On May 2, 2016, OCTC submitted evidence that the convictions had become final. The Ninth Circuit affirmed the convictions and issued its mandate on April 11, 2014, and the United States Supreme Court denied respondent's petition for writ of certiorari on October 6, 2014.

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

¹ Judge Richard A. Honn did not participate.



turpitude.” (Bus. & Prof. Code, § 6102, subd. (c).) The record of conviction establishes both criteria for summary disbarment.

First, his offenses are felonies. (18 U.S.C. § 3559(a) [classifying offenses based on sentencing ranges]; see 18 U.S.C. §§ 1503(a), 1951(a) [extortion punishable with imprisonment up to 20 years; obstruction punishable with imprisonment up to 10 years].)

Second, respondent’s extortion conviction necessarily involves moral turpitude. (*In re Rothrock* (1940) 16 Cal.2d 449, 454 [“In cases such as those involving convictions of murder, forgery, extortion, bribery, perjury, robbery, embezzlement and other forms of theft, no difficulty would attend the determination of the question of moral turpitude from a consideration of the record of conviction alone”].) Similarly, obstruction of justice necessarily involves the intent to influence, obstruct, or impede that proceeding in its due administration of justice (*United States v. Bonds* (9th Cir. 2015) 784 F.3d 582, 583), and there is “no doubt” that such an offense “falls easily within the definition of ‘moral turpitude.’” (*In re Craig* (1938) 12 Cal.2d 93, 97.)

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 Alfred Nash Villalobos, State Bar number 194000, 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.

PURCELL

Presiding Judge

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 June 3, 2016, I deposited a true copy of the following document(s):

RECOMMENDATION ON SUMMARY DISBARMENT FILED JUNE 3, 2016

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

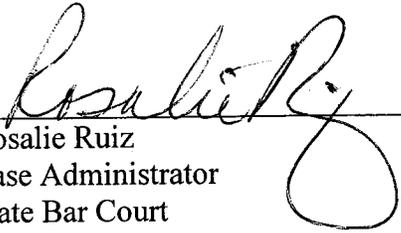
- X by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ALFRED N. VILLALOBOS
ALFRED VILLALOBOS C/O
ADRIANA VILLALOBOS
18931 KENYA ST
NORTHRIDGE, CA 91326

- X by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

CHARLES MURRAY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 3, 2016.



Rosalie Ruiz
Case Administrator
State Bar Court