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

STATE BAR COURT
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LOS ANGELES

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| In the Matter of |) | 09-C-16212 |
| |) | |
| SANDEEP BAWEJA |) | |
| |) | RECOMMENDATION OF SUMMARY |
| Member No. 200192 |) | DISBARMENT |
| |) | |
| <u>A Member of the State Bar.</u> |) | |

On October 27, 2010, the State Bar filed a motion recommending that Sandeep Baweja, State Bar No. 200192, be summarily disbarred based on his felony conviction. Baweja did not oppose the motion. Based on the record of conviction, we recommend that Baweja be disbarred.

On January 14, 2010, the United States District Court for the Central District of California accepted Baweja's guilty plea to two felony counts: wire fraud (18 U.S.C. § 1343) and obstruction of justice (18 U.S.C. § 1503). As a result of Baweja's conviction, we placed him on interim suspension effective April 16, 2010, and he has remained on interim suspension since that time. Baweja's conviction is now final. (Cal. Rules of Court, rule 9.10(a).)

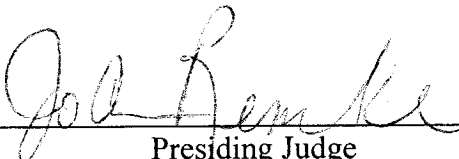
After the judgment of conviction becomes final, "the Supreme Court shall summarily disbar the attorney if the offense is a felony . . . and an element of the offense is the specific intent to deceive, defraud, steal, or make or suborn a false statement, or involved moral turpitude." (Bus. & Prof. Code, § 6102, subd. (c).) The record of conviction establishes that Baweja's conviction meets the criteria for summary disbarment under this statute. First, Baweja's offenses are felonies. (18 U.S.C. § 3559(a)(2)-(3).) Second, the elements of these offenses meet the statutory criteria for summary disbarment.



Baweja's violation of title 18 United States Code section 1343 establishes the specific intent to defraud. (*United States v. McNeil* (9th Cir. 2003) 320 F.3d 1034, 1040 [wire fraud has three elements: a scheme to defraud, use of the wires in furtherance of the scheme, and the specific intent to defraud].) Further, the relevant elements of section 1503 of title 18 of the United States Code establish a person obstructs justice when he "corruptly . . . influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice." In *In re Craig* (1938) 12 Cal.2d 93, the California Supreme Court, in ordering an attorney disbarred in light of his conviction under the former federal conspiracy statute, held: "We entertain no doubt that the offense of conspiring to corruptly influence, obstruct, impede, hinder and embarrass the due administration of justice . . . falls easily within the definition of 'moral turpitude.'" (*Id.* at p. 97.)

When an attorney's conviction meets the requirements of 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 Sandeep Baweja, State Bar No. 200192, 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 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 December 9, 2010, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED DECEMBER 9, 2010

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:

SANDEEP BAWEJA
785 N KINTYRE DR
ORANGE, CA 92869

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:

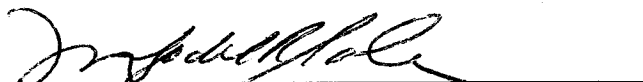
by fax transmission, at fax number . No error was reported by the fax machine that I used.

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 December 9, 2010.


Milagro del R. Salmeron
Case Administrator
State Bar Court