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

In the Matter of)	09-C-17186
)	
)	
TIMOTHY DOUGLAS THURMAN)	RECOMMENDATION OF SUMMARY
Member No. 216048)	DISBARMENT
)	
<u>A Member of the State Bar.</u>)	

On September 30, 2010, the State Bar filed a motion for summary disbarment based on Timothy Douglas Thurman's felony conviction. Thurman did not file a response. We grant the request and recommend that Thurman be summarily disbarred.

On December 17, 2009, Thurman pled guilty to a felony violation of 18 United States Code section 505 (forgery of a judge's signature). As a result of the conviction, we issued an order placing Thurman on interim suspension, effective May 2, 2010. On September 30, 2010, the State Bar transmitted evidence that Thurman's conviction is final.

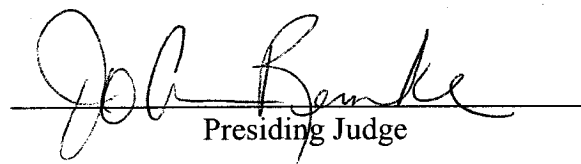
After the judgment of conviction becomes final, "the Supreme Court shall summarily disbar the attorney if the offense is a felony . . . and an element of the offense is the specific intent to deceive, defraud, steal, or make or suborn a false statement, or involved moral turpitude." (Bus. & Prof. Code, § 6102, subd. (c).) The record of conviction establishes that Thurman's criminal violation meets the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c).



First, the offense is a felony. Second, an element of Thurman's offense is the specific intent to defraud. (*United States v. London* (11th Cir. 1983) 714 F.2d 1558, 1563.) In particular, a conviction pursuant to 18 United State Code section 505 requires: 1) the forgery of a judge's signature, 2) for the purpose of authenticating a proceeding or document, and 3) the intent to defraud. (*United States v. Bertrand* (6th Cir. 1979) 596 F.2d 150, 151-152 [an essential element of 18 U.S.C. §505 is the intent to defraud].)

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 Timothy Douglas Thurman, State Bar number 216048, be summarily disbarred from the practice of law in this state. We also recommend that Thurman 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 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 November 24, 2010, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED NOVEMBER 24, 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:

TIMOTHY D. THURMAN
LAW OFFICE OF TIMOTHY D. THURMAN
PO BOX 38
SOUTH PASADENA, CA 91031

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

LEE A. KERN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 24, 2010.



Rosalie Ruiz
Case Administrator
State Bar Court

CERTIFICATE OF SERVICE
[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

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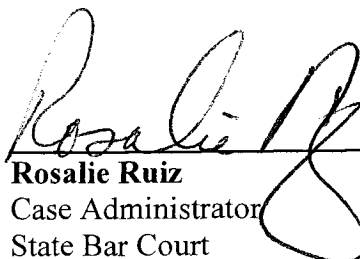
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MURRAY B. GREENBERG, Enforcement, Los Angeles

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Rosalie Ruiz
Case Administrator
State Bar Court