

**FILED**

**FEB 25 2011**

**STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES**



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

In the Matter of	)	Case No.: <b>10-C-02323</b>
	)	
LEONOR PEREIRA	)	
	)	<b>MODIFIED RECOMMENDATION OF</b>
Member No. 228204	)	<b>SUMMARY DISBARMENT<sup>1</sup></b>
	)	
<u>A Member of the State Bar.</u>	)	

On January 6, 2011, the State Bar filed a request for recommendation of summary disbarment based on Leonor Pereira's felony conviction. Pereira did not file a response. We grant the request and recommend that Pereira be summarily disbarred.

On February 25, 2010, Pereira pled guilty to a felony violation of title 18 United States Code section 4 (misprision of conspiracy to participate in racketeering in violation of title 18 United States Code section 1962(d)). Effective June 14, 2010, we placed Pereira on interim suspension. On January 6, 2011, the State Bar transmitted evidence that Pereira'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).)

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<sup>1</sup> Due to a clerical error, in the recommendation of summary disbarment filed on February 15, 2011, the last two sentences of the fourth paragraph were inadvertently deleted. This modified recommendation of summary disbarment supersedes that prior recommendation.

The record of conviction establishes that Pereira's conviction meets the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c). First, the offense is a felony. Second, the offense for which Pereira was convicted involves moral turpitude.

In order to convict under title 18 United States Code section 4, the government must prove (1) that the principal had committed the felony alleged; (2) that the defendant had full knowledge of that fact; (3) that the defendant failed to notify the authorities; and "(4) that [the defendant] took . . . affirmative steps to conceal the crime of the principal.' [Citation.]" (*Lancey v. U.S.* (9<sup>th</sup> Cir. 1966) 356 F.2d 407, 409.) "[A]n act by an attorney for the purpose of concealment or other deception is dishonest and involves moral turpitude . . ." (*Coppock v. State Bar* (1988) 44 Cal.3d 665, 679.)

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 Leonor Pereira, State Bar number 228204, be disbarred from the practice of law in this state. We also recommend that Pereira 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.

**REMKE**

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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. 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 February 25, 2011, I deposited a true copy of the following document(s):

### **ORDER FILED FEBRUARY 25, 2011**

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

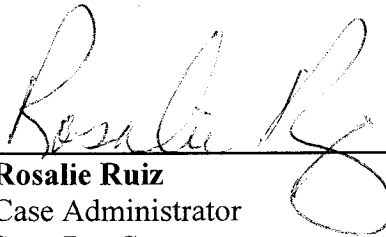
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**LEONOR PEREIRA  
236 W SIERRA AVE  
FRESNO, CA 93704**

- [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 February 25, 2011.



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**Rosalie Ruiz**  
Case Administrator  
State Bar Court