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

In the Matter of)	Case No.: 10-C-02867
)	
RICHARD JAMES SALAS)	
)	RECOMMENDATION OF SUMMARY
Member No. 69930)	DISBARMENT
)	
<u>A Member of the State Bar.</u>)	

On February 22, 2011, the State Bar filed a request for recommendation of summary disbarment based on Richard James Salas's felony conviction. Salas did not file a response. We grant the request and recommend that Salas be summarily disbarred.

On May 27, 2010, Salas pled nolo contendere to one felony count each of violating Penal Code section 118, subdivision (a) (perjury) and Insurance Code section 1871.4, subdivision (a)(1) (worker's compensation insurance fraud). As a result of his conviction, we issued an order placing Salas on interim suspension, effective July 9, 2010. On February 22, 2011, the State Bar transmitted evidence that Salas's conviction is final.

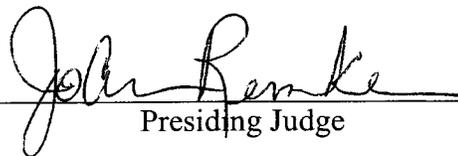
After the judgment of conviction becomes final, "the Supreme Court shall summarily disbar the attorney if the offense is a felony . . . and an element of the offense is the specific intent to deceive, defraud, steal, or make or suborn a false statement, or involved moral turpitude." (Bus. & Prof. Code,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



First, the offenses are felonies. (Bus. & Prof. Code, § 6102, subd. (b).) Second, his offenses involve moral turpitude per se. Perjury is a crime of moral turpitude. (*In re Kristovich* (1976) 18 Cal.3d 468, 472.) Further, worker's compensation insurance fraud in violation of section 1871.4, subdivision (a)(1), requires that "defendant knowingly make a false, material statement, for the purpose of . . . obtaining workers' compensation benefits" (*People v. Webb* (1999) 74 Cal.App.4th 688, 693), and necessarily implies the intent to defraud. (*People v. Dieguez* (2001) 89 Cal.App.4th 266, 279.) Making a knowingly false material statement for the purposes of obtaining benefits involves moral turpitude. (*In re Fahey* (1973) 8 Cal.3d 842, 849 [conviction of crime "involving intentional dishonesty for the purpose of personal gain" establishes moral turpitude per se].)

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 Richard James Salas, State Bar number 69930, be disbarred from the practice of law in this state. We also recommend that Salas 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.



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

RECOMMENDATION OF SUMMARY DISBARMENT FILED MARCH 25, 2011

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

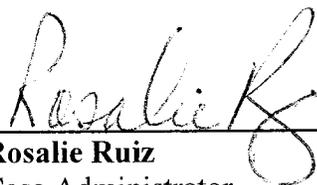
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**RICHARD J. SALAS
SALAS & MCQUIGG
501 S RANCHO DR STE I-62
LAS VEGAS, NV 89106 - 4838**

- [X] 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 March 25, 2011.



Rosalie Ruiz
Case Administrator
State Bar Court