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REVIEW DEPARTMENT OF THE STATE BAR COURT
IN BANK

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| In the Matter of |) | Case No.: 10-C-09179 |
| |) | |
| STEPHEN ADRIAN RODRIGUEZ, |) | |
| |) | RECOMMENDATION OF SUMMARY |
| A Member of the State Bar, No. 219019. |) | DISBARMENT |
| |) | |

On December 4, 2012, the State Bar filed a motion for summary disbarment based on the felony conviction of Stephen Adrian Rodriguez. Rodriguez did not file a response. We grant the motion and recommend that Rodriguez be summarily disbarred.

On January 26, 2012, a jury found Rodriguez guilty of multiple felony counts of violating Penal Code section 487, subdivision (a) (grand theft).¹ Effective May 4, 2012, we placed Rodriguez on interim suspension. On December 4, 2012, the State Bar filed evidence that Rodriguez's conviction is final.

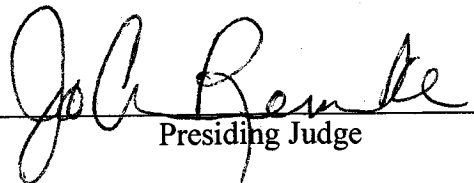
After the judgment of conviction becomes final, "the Supreme Court shall summarily disbar the attorney if the offense is a felony . . . and an element of the offense is the specific intent to deceive, defraud, steal, or make or suborn a false statement, or involved moral turpitude." (Bus. & Prof. Code,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

¹ Rodriguez was also found guilty of violating Business and Professions Code sections 6126, subdivision (b) (unauthorized practice of law) and Penal Code section 182, subdivision (a)(1) (conspiracy to commit capping in violation of Bus. & Prof. Code, § 6152, subd. (a)), felonies that may or may not involve moral turpitude. We rely only on Rodriguez's felony grand theft conviction in recommending his summary disbarment.

First, Rodriguez was charged with and convicted of a felony. (Pen. Code, § 489, subd. (b).) Second, the crime involves moral turpitude. (*In re Basinger* (1988) 45 Cal.3d 1348, 1358 [grand theft necessarily involves moral turpitude; see also *In re Paguirigan* (2001) 25 Cal.4th 1, 5 [crimes of robbery, embezzlement and other forms of theft necessarily involve moral turpitude].)

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, supra*, 25 Cal.4th at p. 7.) Disbarment is mandatory. (*Id.* at p. 9.)

We therefore recommend that Stephen Adrian Rodriguez, State Bar number 219019, 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.



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 January 7, 2013, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED JANUARY 7, 2013

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:

**STEPHEN A. RODRIGUEZ
1181 S LOS ROBLES AVE
PASADENA, CA 91106**

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

Brooke A. Schafer, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 7, 2013.



Paul Barona
Case Administrator
State Bar Court