




Schnapp's offenses meet the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c).

First, Schnapp's offenses are felonies. (Bus. & Prof. Code, § 6102, subd. (b).) Second, the crimes inherently involve moral turpitude. (*In re Vaughn* (1985) 38 Cal.3d 614, 615 [grand theft in violation of § 487 necessarily involves moral turpitude]; *People v. Swanson* (1981) 123 Cal.App.3d 1024, 1031 [essential element of § 476a, subd. (a) is the intent to defraud]; see also *In re Hallinan* (1954) 43 Cal.2d 243, 247 ["a crime in which intent to defraud is an essential element is a crime involving 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* (2001) 25 Cal.4th 1, 7.) Disbarment is mandatory. (*Id.* at p. 9.)

We therefore recommend that Roger Herbert Schnapp, State Bar number 102861, be disbarred from the practice of law in this state. We also recommend that Schnapp 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 February 21, 2012, I deposited a true copy of the following document(s):

### ORDER FILED FEBRUARY 21, 2012

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

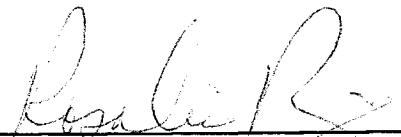
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**ROGER H. SCHNAPP  
PO BOX 9049  
NEWPORT BEACH, CA 92658**

- [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 February 21, 2012.

  
\_\_\_\_\_  
**Rosalie Ruiz**  
Case Administrator  
State Bar Court