

FILED

JUN 29 2016 *JE*

STATE BAR COURT OF CALIFORNIA

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

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 12-C-16837
)	
QUYEN TANG KIET,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 182399.)	
_____)	

On May 11, 2016, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed a Motion for Summary Disbarment based on Quyen Tang Kiet's felony conviction. Kiet did not respond. We grant the request and recommend that Kiet be summarily disbarred.

On December 16, 2014, Kiet pled guilty to a violation of title 18 United States Code section 1957 and 2 (aiding and abetting monetary transactions in criminally derived property). Effective June 1, 2015, Kiet was placed on interim suspension from the practice of law. With its request for summary disbarment, OCTC submitted evidence that the conviction had become final. Specifically, the United States District Court for the Central District of California entered a Judgment and Probation Commitment Order on July 28, 2015, which was not appealed within the statutory time period. (Fed. Rules App. Proc., rule 4(b), 28 U.S.C.)

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 both criteria for summary disbarment. First, Kiet's offense is a felony. (18 U.S.C. § 3559(a); see 18 U.S.C. §1957(b)(1) [violation punishable by imprisonment no more than 10 years].) Second, Kiet's conviction under title 18 United States Code section 1957 involves moral turpitude because it required proof that: (1) Kiet knowingly engaged in a monetary transaction; (2) Kiet knew the transaction involved criminal property; (3) the property's value exceeded \$10,000; and (4) the property was derived from a specified unlawful activity. (*United States v. Messer* (9th Cir. 1999) 197 F.3d 330, 341.) Crimes based on "knowledge of the falsity of certain facts or documents, or of the illegality of certain conduct" involve moral turpitude. (*In re Rivas* (1989) 49 Cal.3d 794, 800, citing *In re Bloom* (1987) 44 Cal.3d 128, 143; see also *In re Berman* (1989) 48 Cal. 3d 517, 526 [money laundering involves 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 Quyen Tang Kiet, State Bar number 182399, be disbarred from the practice of law in this state. We also recommend that Kiet 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.

PURCELL

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 June 29, 2016, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED JUNE 29, 2016

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:


**QUYEN T. KIET
19771 ISLAND BAY LN
HUNTINGTON BEACH, CA 92648 - 2632**

**COURTESY COPY:
QUYEN T. KIET, REGISTER #63555-112
USP LOMPOC
U.S. PENITENTIARY
3901 KLEIN BLVD.
LOMPOC, CA 93436**

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

CHARLES A. MURRAY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 29, 2016.



Jasmine Guladzyan
Case Administrator
State Bar Court