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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

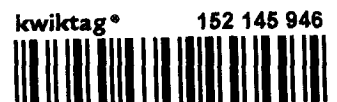
IN BANK

In the Matter of)	Case No. 12-C-17307
)	
DANIEL BURT HALPERN,)	RECOMMENDATION OF
)	SUMMARY DISBARMENT
A Member of the State Bar, No. 189336.)	
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On December 30, 2013, the Office of Chief Trial Counsel filed a request for summary disbarment based on Daniel Burt Halpern's felony conviction. Halpern did not respond. We grant the request and recommend that Halpern be summarily disbarred.

On June 13, 2013, Halpern pled guilty to two felony counts of grand theft (Pen. Code, §§ 484 & 487, subd. (a)). He also admitted that the two felonies involved fraud or embezzlement, were part of pattern of related felony conduct, and the pattern of conduct resulted in the loss of more than \$500,000 (Pen. Code, § 186.11, subds. (a)(1)-(2) [enhancement for multiple felonies involving fraud or embezzlement]). On August 14, 2013, we placed Halpern on interim suspension. On December 30, 2013 the Office of Chief Trial Counsel submitted evidence that the conviction had become final.

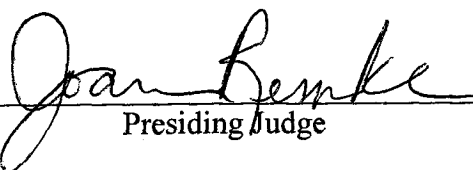
After the judgment of conviction becomes final, "the Supreme Court shall summarily disbar the attorney if the offense is a felony ... and an element of the offense is the specific intent to deceive, defraud, steal, or make or suborn a false statement, or involved moral turpitude." (Bus. & Prof. Code,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



First, Halpern was charged with and convicted of a felony. (See Pen. Code, § 489, subd. (a) [specifying punishment for grand theft]; Pen. Code, § 17, subd. (a) [defining felony based on punishment].) Second, grand theft “necessarily involves moral turpitude.” (*In re Basinger* (1988) 45 Cal.3d 1348, 1358.)

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 Daniel Burt Halpern, State Bar number 189336, 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. 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 18, 2014, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED FEBRUARY 18, 2014

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:

**DANIEL B. HALPERN
HALPERN LAW OFFICES
123 E SAN CARLOS ST STE 514
SAN JOSE, CA 95112**

- [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 18, 2014.



Jasmine Guladzhyan
Case Administrator
State Bar Court