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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

**STATE BAR COURT
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LOS ANGELES**

IN BANK

In the Matter of)	Case No. 13-C-11553
)	
FEDERICO ROSE BUENROSTRO,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 118996.)	
_____)	

On October 13, 2016, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed a motion for summary disbarment based on Federico Rose Buenrostro's felony conviction. Buenrostro did not respond. We grant the motion and recommend that Buenrostro be summarily disbarred.

On July 11, 2014, Buenrostro pled guilty to a violation of title 18 United States Code section 371 (conspiracy to commit bribery and honest services fraud and to defraud the United States). Thus, we placed Buenrostro on interim suspension from the practice of law effective October 22, 2014. With its motion for summary disbarment, OCTC submitted evidence that the conviction had become final. Specifically, no party filed a notice of appeal within the statutory time period after the entry of judgment. (Fed. Rules App. Proc., rule 4(b), 28 U.S.C.) Therefore, the 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 both criteria for summary disbarment.



First, Buenrostro's offense is a felony. (18 U.S.C. §§ 3559(a) [classifying offenses based on sentencing ranges], 371 [conspiracy punishable with imprisonment up to 5 years].)

Second, Buenrostro's conviction necessarily involves moral turpitude. A conviction for conspiracy involves moral turpitude if the target crime involves moral turpitude. (*In re McAllister* (1939) 14 Cal.2d 602, 603.) Here, Buenrostro was convicted of conspiracy to commit bribery and honest services fraud and to defraud the United States. Both bribery and fraud are crimes of moral turpitude. (*In re Hanley* (1975) 13 Cal.3d 448, 450 [bribery is a crime involving moral turpitude]; *In re Weber* (1976) 16 Cal.3d 578, 581 [soliciting another to offer a bribe involves moral turpitude]; *In re Schwartz* (1982) 31 Cal.3d 395, 400 [fraud is a principal element of moral turpitude].) Accordingly, Buenrostro's conviction qualifies him for summary disbarment.

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 Federico Rose Buenrostro, State Bar number 118996, 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 costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, 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 November 29, 2016, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED NOVEMBER 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:


**FEDERICO R. BUENROSTRO
5960 S LAND PARK DR # 353
SACRAMENTO, CA 95822**

**COURTESY COPY:
FEDERICO R. BUENROSTRO
REGISTER NUMBER: 18076-111
FCI SHERIDAN FEDERAL CORRECTIONAL INSTITUTION
P.O. BOX 5000
SHERIDAN, OR 97378**

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

ALLEN BLUMENTHAL, Enforcement, San Francisco

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



Jasmine Guladzhyan
Case Administrator
State Bar Court