


FILED

APR 11 2016 

STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

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

IN BANK

In the Matter of)	Case No. 13-C-12043
)	
RONALD DAVID GARBER,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 100760.)	
_____)	

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

On September 12, 2011, respondent pled guilty to two counts of subscribing a false tax return in violation of Title 26 United States Code section 7206(1). Effective February 18, 2015, respondent was placed on interim suspension from the practice of law. On February 4, 2016, respondent filed a waiver of finality of his convictions. Therein, respondent acknowledged that upon his waiver OCTC might seek his summary disbarment. Thus we find respondent's convictions are final for the purposes of attorney discipline. (Bus. & Prof. Code § 6102, subd. (c); Rules Prof. of State Bar, rule 5.344.)

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, as the parties stipulated, respondent's offense is a felony. Further, his crime is a felony because it may result in imprisonment in excess of one year. (18 U.S.C. § 3559(a).) Second, respondent's convictions involve moral turpitude. (*In the Matter of Moriarty* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 245 [Supreme Court determined that making and subscribing a false income tax return 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 Ronald David Garber, State Bar number 100760, 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.

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 April 11, 2016, I deposited a true copy of the following document(s):

**RECOMMENDATION OF SUMMARY DISBARMENT
FILED APRIL 11, 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:

**RONALD D. GARBER
GIBRALTAR LAW GROUP
3435 OCEAN PARK BLVD STE 107
SANTA MONICA, CA 90405**


**JAMES I. HAM
PANSKY MARKLE HAM LLP
1010 SYCAMORE AVE UNIT 308
SOUTH PASADENA, CA 91030**

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

DANE C. DAUPHINE, Enforcement, Los Angeles

**COURTESY COPY:
CHARLES A. MURRAY, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on April 11, 2016.



Jasmine Guladzhyan
Case Administrator
State Bar Court