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**STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

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|---------------------------------------|---|---------------------------|
| In the Matter of |) | Case No. 13-C-14958 |
| |) | |
| ORION DOUGLAS MEMMOTT, |) | RECOMMENDATION OF SUMMARY |
| |) | DISBARMENT |
| A Member of the State Bar, No. 37600. |) | |
| _____ |) | |

On June 13, 2017, the Office of Chief Trial Counsel of the State Bar (OCTC) filed a motion for summary disbarment based on Orion Douglas Memmott's felony conviction. Memmott did not respond. We grant the motion and recommend that Memmott be summarily disbarred.

On August 21, 2013, Memmott was convicted of violating title 26 United States Code sections 7206(1) (subscribing to a false tax document) and 7201 (attempted tax evasion). Effective November 13, 2013, Memmott was placed on interim suspension from the practice of law. With its motion for summary disbarment, OCTC submitted evidence that the conviction has become final. Specifically, the United States Court of Appeals for the Ninth Circuit affirmed the conviction and issued its mandate on August 16, 2016. The time for filing a petition for certiorari in the United States Supreme Court has elapsed and no petition has been filed. (Cal. Rules of Court, rule 9.10(a).)

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

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intent to deceive, defraud, steal, or make or suborn a false statement, or involved moral turpitude.” (Bus. & Prof. Code, § 6102, subd. (c).)

Memcott’s violation of title 26 United States Code section 7206(1) establishes both criteria for summary disbarment. First, it is a felony. (18 U.S.C. § 3559(a) [classifying offenses based on sentencing ranges]; 26 U.S.C. § 7206 [punishable with imprisonment up to 3 years].) Second, the crime involves moral turpitude as a matter of law. (*In the Matter of Moriarty* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 245 [making and subscribing a false income tax return involves moral turpitude].) Accordingly, Memcott’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 Orion Douglas Memcott, State Bar number 37600, 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 of California. 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 August 8, 2017, I deposited a true copy of the following document(s):

ORDER FILED August 8, 2017

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

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

ORION DOUGLAS MEMMOTT
1140 17TH AVE
SANTA CRUZ, CA 95062

☐ by certified mail, No. _____, with return receipt requested, through the United States Postal Service at _____, California, addressed as follows:

☐ by overnight mail at _____, California, addressed as follows:

☐ by fax transmission, at fax number _____. No error was reported by the fax machine that I used.

☐ By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Terrie Goldade, Office of Probation, Los Angeles
Allen Blumenthal, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 8, 2017.



Nikiah Hawkins
Case Administrator
State Bar Court