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AUG 04 2016

STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 13-C-16122
)	
CHARLES MAX POLLOCK,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 193818.)	
_____)	

On June 21, 2016, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed a motion for summary disbarment based on Charles Max Pollock's felony conviction. Pollock did not respond. We grant the motion and recommend that Pollock be summarily disbarred.

In September 2014, Pollock pled guilty to violating title 18 United States Code section 2423(b) and (e) (travel with intent to engage in illicit sex conduct and attempt). Effective June 27, 2016, Pollock was placed on interim suspension from the practice of law. With its motion for summary disbarment, OCTC submitted evidence that the conviction had become final. Specifically, judgment was ordered on November 13, 2014, and no party filed a notice of appeal within the statutory time period after the entry of judgment. (See 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, Pollock's offense is a felony. (18 U.S.C. § 3559(a) [classifying offenses based on sentencing ranges]; 18 U.S.C. § 2423(b) [imprisonment up to thirty years possible].)

Second, Pollock's conviction involves moral turpitude. The elements of the crime require that: "A person . . . travel[] in interstate commerce . . . for the purpose of engaging in any illicit sexual conduct with another person" (18 U.S.C. § 2423(b).) "Illicit sexual conduct" is defined as: (1) a sexual act (as defined in section 2246) with a person under 18 years of age that would be in violation of chapter 109A if the sexual act occurred in the special maritime and territorial jurisdiction of the United States; (2) any commercial sex act (as defined in section 1591) with a person under 18 years of age; or (3) production of child pornography (as defined in section 2256(8)). (18 U.S.C. § 2423(f).)

"In the attorney discipline context, the term 'moral turpitude' includes 'particular crimes that that are extremely repugnant to accepted moral standards such as . . . serious sexual offenses [citation]. [Citation.]" (*In re Lesansky* (2001) 25 Cal.4th 11, 17 [felonious attempt to commit lewd act on a child is a "serious sexual offense likely to result in harm to a child" and necessarily involves moral turpitude]; see also *In re Grant* (2014) 58 Cal.4th 469, 480-481 [felonious possession of child pornography is moral turpitude per se because the crime involves exploitation of children and shows flagrant disrespect for the law and for societal norms].) As in *Lesansky* and *Grant*, Pollock's crime is a serious sexual offense that involves the illicit sexual exploitation of minors. His offense is such a serious breach of the duties of respect and care that all adults owe to all children, and it shows such a flagrant disrespect for the law and for societal norms, that continuation of his State Bar membership would be likely to undermine public confidence in and respect for the legal profession. (See *In re Lesansky*, *supra*, 25 Cal.4th at p. 17.) Accordingly, Pollock'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 Charles Max Pollock, State Bar number 193818, 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 4, 2016, I deposited a true copy of the following document(s):

ORDER FILED AUGUST 4, 2016

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

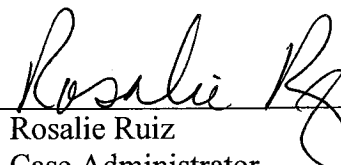
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

CHARLES M. POLLOCK
LAW OFFICES OF CHARLES M POLLOCK
10161 PARK RUN DR STE 150
LAS VEGAS, NV 89145

- ☒ 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 August 4, 2016.



Rosalie Ruiz
Case Administrator
State Bar Court