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**STATE BAR COURT OF CALIFORNIA**

**REVIEW DEPARTMENT**

**IN BANK**

In the Matter of	)	Case No. 13-C-16964
	)	
GREGORY ELROD GRANTHAM,	)	RECOMMENDATION OF
	)	SUMMARY DISBARMENT
A Member of the State Bar, No. 125732.	)	
_____	)	

On July 1, 2015, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed a Motion for Summary Disbarment based on Gregory Elrod Grantham's felony convictions. Grantham did not respond. We grant the Motion and recommend that Grantham be summarily disbarred.

In June 2014, Grantham pled guilty to violating 18 United States Code sections 1349 (conspiracy to commit wire fraud), 1343 (wire fraud), and 1503 (obstruction of justice). On July 31, 2014, we placed him on interim suspension, effective August 20, 2014. He was sentenced on November 21, 2014. On July 1, 2015, OCTC submitted evidence that the conviction had become final and requested Grantham's summary disbarment.

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, his offense is a felony. (18 U.S.C. § 3559(a) [classifying offenses based on sentencing ranges]; see 18 U.S.C. §§ 1343, 1349, 1503(b) [wire fraud and conspiracy for wire



fraud punishable with imprisonment up to 20 years, obstruction punishable with imprisonment up to 10 years].)

Second, Grantham's wire fraud and conspiracy to commit wire fraud convictions involve moral turpitude because the convictions necessarily involve intent to defraud. (*In re Fahey* (1973) 8 Cal.3d 842, 849.) The moral turpitude classification of the crime of conspiracy depends upon the object of the conspiracy. (*In re McAllister* (1939) 14 Cal.2d 602, 603 [if the commission of an offense involves moral turpitude, then a conspiracy to commit the offense would also involve moral turpitude].) Section 1343 provides in pertinent part: "Whoever, having devised or intending to devise any scheme or artifice to defraud . . . transmits or causes to be transmitted by means of wire . . . any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be [guilty of a crime against the United States]." An element of a wire fraud violation is the specific intent to deceive or defraud. (*Odom v. Microsoft Corp.* (9th Cir. 2007) 486 F.3d 541, 554.) Therefore, the wire fraud conviction involves moral turpitude as does the conspiracy conviction because the object of the conspiracy involved the intent to deceive or defraud.

As to the obstruction of justice conviction, Grantham pled that there was a pending judicial proceeding; he had knowledge or notice of the proceeding; and he acted corruptly, that is with the intent to influence, obstruct, or impede that proceeding in its due administration of justice. (*United States v. Bonds* (9th Cir. 2015) 784 F.3d 582, 583.) There is "no doubt" that such an offense "falls easily within the definition of 'moral turpitude.'" (*In re Craig* (1938) 12 Cal.2d 93, 97.) Accordingly, the obstruction of justice conviction also necessarily 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 Gregory Elrod Grantham, State Bar number 125732, 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**

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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 August 10, 2015, I deposited a true copy of the following document(s):

### RECOMMENDATION OF SUMMARY DISBARMENT FILED AUGUST 10, 2015

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

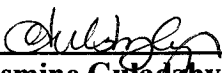
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**GREGORY E. GRANTHAM**  
57212-037  
1500 CADET RD  
TAFT, CA 93268

- 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 10, 2015.

  
\_\_\_\_\_  
**Jasmine Guladzhyan**  
Case Administrator  
State Bar Court