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SEP 16 2014
STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 14-C-02098
)	
RICHARD J. TORRE,)	RECOMMENDATION OF
)	SUMMARY DISBARMENT
A Member of the State Bar, No. 73838.)	
_____)	

On June 19, 2014, the State Bar's Office of Chief Trial Counsel (OCTC) filed a request for summary disbarment based on Richard J. Torre's felony conviction. Torre did not respond.¹ We grant the request and recommend that Torre be summarily disbarred.

On October 31, 2013, Torre pled guilty to a felony violation of title 18 United States Code section 641 (theft of government property). On May 22, 2014, we placed Torre on interim suspension. On June 19, 2014, OCTC submitted evidence that the conviction had become final.

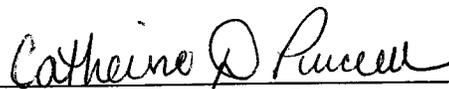
After the judgment of conviction becomes final, "the Supreme Court shall summarily disbar the attorney if the offense is a felony... and an element of the offense is the specific intent to deceive, defraud, steal, or make or suborn a false statement, or involved moral turpitude." (Bus. & Prof. Code, § 6102, subd. (c).) The record of conviction establishes both criteria for summary disbarment.

¹ On July 3, 2014, OCTC filed a notice of return of documents served on Torre and re-service of documents. On July 15 and August 13, 2014, OCTC was ordered to provide proof that service had been effected in this matter. On August 19, 2014, OCTC filed a supplemental report and declaration providing proof that Torre received OCTC's latest filings including the request for summary disbarment.

First, Torre was charged with and convicted of a felony. (18 U.S.C. § 641 [theft of government property exceeding \$1,000 is punishable by imprisonment up to 10 years]; 18 U.S.C. § 3559(a) [crime punishable with imprisonment of one year or more is a felony].) Second, a crime of theft “necessarily involves moral turpitude.” (*In re Basinger* (1988) 45 Cal.3d 1348, 1358 [criminal conviction for grand theft]; see also *In re Patterson* (D.C. 2003) 833 A.2d 493 [well settled that theft of government property under 18 U.S.C. § 641 is a crime involving 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 Richard J. Torre, State Bar number 73838, 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.



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 September 16, 2014, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED SEPTEMBER 16, 2014

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

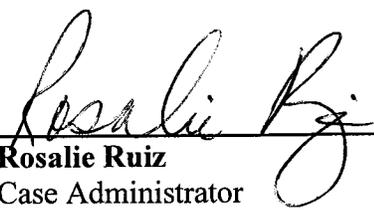
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

RICHARD J. TORRE
1029 KANSAS ST
SAN FRANCISCO, CA 94107

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

DONALD R. STEEDMAN, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 16, 2014.



Rosalie Ruiz
Case Administrator
State Bar Court