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STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 14-C-05836
)	
BRUCE ALAN COLE,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 68770.)	
_____)	

On September 28, 2017, the Office of the Chief Trial Counsel of the State Bar (OCTC) transmitted evidence that, on September 2, 2014, Bruce Alan Cole pled guilty to violating Missouri Annotated Statutes sections 570.30 (stealing) and 409.5-501 (securities fraud) and evidence that the conviction is final. This court placed Cole on interim suspension from the practice of law, which will take effect on November 13, 2017.

Concurrently with the evidence of conviction, OCTC filed a request for summary disbarment based on Cole's felony conviction. Cole did not respond. We grant the request and recommend that Cole be summarily disbarred.

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." The record of conviction establishes both criteria for summary disbarment.

First, Cole's offenses are felonies as he was charged with and pled guilty to felonies in Missouri. (Bus. & Prof. Code, § 6102, subd. (d).) Second, stealing and fraud involves moral turpitude as a matter of law. (*In re Basinger* (1988) 45 Cal.3d 1348, 1358 [grand theft

necessarily involves moral turpitude]; see also *In re Paguirigan* (2001) 25 Cal.4th 1, 5 [crimes of robbery, embezzlement, and other forms of theft necessarily involve moral turpitude]; *In re Kelley* (1990) 52 Cal.3d 487, 494 [crimes involving the intent to defraud involve moral turpitude per se].)

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, supra*, 25 Cal.4th at p. 7.) Disbarment is mandatory. (*Id.* at p. 9.)

We therefore recommend that Bruce Alan Cole, State Bar number 68770, 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.



Acting Presiding Judge

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am an Administrative Assistant 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 October 20, 2017, I deposited a true copy of the following document:

RECOMMENDATION FOR SUMMARY DISBARMENT FILED OCTOBER 20, 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:

BRUCE ALAN COLE
34281 DOHENY PARK RD UNIT 2429
CAPISTRANO BEACH, CA 92624 -
8021

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

Britta G. Pomrantz, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 20, 2017.



Dina Outlaw
Administrative Assistant
State Bar Court