



**FILED**

JUN 29 2016

STATE BAR COURT  
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**STATE BAR COURT OF CALIFORNIA**

**REVIEW DEPARTMENT**

**IN BANK**

In the Matter of	)	Case No. 14-C-05888
	)	
FREDRICK JACOB TODD,	)	RECOMMENDATION OF SUMMARY
	)	DISBARMENT
A Member of the State Bar, No. 86607.	)	
_____	)	

On May 9, 2016, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed a Motion for Summary Disbarment based on Fredrick Jacob Todd's felony convictions. Todd did not respond. We grant the request and recommend that Todd be summarily disbarred.

In September 2014, Todd plead guilty to title 18 United States Code sections 1349 (conspiracy to commit mail fraud) and 1957 (transacting in criminal proceeds). On January 21, 2015, the United States District Court for the District of New Jersey entered judgment in the matter and sentenced Todd to 46 months of imprisonment. A revised order judgment (based on clerical error) was entered on February 2, 2015. Effective March 18, 2015, Todd was placed on interim suspension from the practice of law. With its motion, OCTC submitted evidence that the conviction had become final. Specifically, 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.)

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 that

Todd's offenses meet the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c).

First, Todd has been convicted of felonies. (18 U.S.C. §§ 3559(a) [classifying offenses based on sentencing ranges], 1349 [punishable with imprisonment up to 20 years], 1957 [punishable with imprisonment up to 10 years].)

Second, Todd's conspiracy to commit mail fraud conviction under title 18 United States Code section 1341 required proof of specific intent to defraud. (See *United States v. Beecroft* (9th Cir. 1979) 608 F.2d 753, 757; *United States v. Payne* (9th Cir. 1973) 474 F.2d 603 [mail fraud is a specific intent crime]; see also *In re Utz* (1989) 48 Cal.3d 468, 484 [mail fraud involves moral turpitude].) Further, Todd's money laundering conviction under title 18 United States Code section 1957 required proof that: (1) he knowingly engaged in a monetary transaction; (2) he knew the transaction involved criminal property; (3) the property's value exceeded \$10,000; and (4) the property was derived from a specified unlawful activity. (*United States v. Messer* (9th Cir. 1999) 197 F.3d 330, 341.) Crimes based on "knowledge of the falsity of certain facts or documents, or of the illegality of certain conduct" involve moral turpitude. (*In re Rivas* (1989) 49 Cal.3d 794, 800, citing *In re Bloom* (1987) 44 Cal.3d 128, 143; see also *In re Berman* (1989) 48 Cal. 3d 517, 526 [money laundering 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 Fredrick Jacob Todd, State Bar number 86607, be disbarred from the practice of law in this state. We also recommend that Todd 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 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 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 June 29, 2016, I deposited a true copy of the following document(s):

ORDER FILED JUNE 29, 2016

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

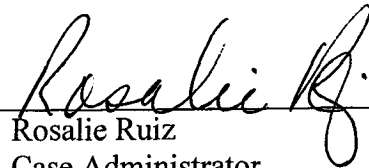
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

FREDRICK J. TODD  
LAW OFFICES OF F. J. TODD  
41735 ELM ST STE 102  
MURRIETA, CA 92562

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

Charles Murray, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 29, 2016.

  
\_\_\_\_\_  
Rosalie Ruiz  
Case Administrator  
State Bar Court