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STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

In the Matter of) Case No. 15-C-11408
)
GARY WANKI PARK,) RECOMMENDATION OF SUMMARY
) DISBARMENT
)
A Member of the State Bar, No. 173390.)
_____)

On November 24, 2015, Respondent Gary Wanki Park pled no contest to violating Penal Code section 487, subdivision (a) (grand theft by embezzlement), and California Revenue and Taxation Code 19705, subdivision (a) (filing a false tax return). On April 8, 2016, the Office of the Chief Trial Counsel of the State Bar transmitted evidence of the finality of his conviction and requested respondent's summary disbarment based on respondent's felony convictions. Respondent did not respond. On April 29, 2016, we placed respondent on interim suspension, effective May 23, 2016.

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, respondent's offenses are felonies. (Bus. & Prof. Code, § 6102, subd. (b); Penal Code, §§ 17, 489, 1170, subd. (h).) Second, the crime of grand theft of personal property involves moral turpitude. (*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].) Filing a false tax return also necessarily involves moral turpitude because it requires “the prosecution to prove the defendant made the perjurious statement in voluntary, intentional violation of a known legal duty.” (*People v. Hagen* (1998) 19 Cal.4th 652, 666.) And it “is closely related to the crime of perjury.” (*Id.* at p. 668 [both statements require “a statement made under penalty of perjury, materiality, willfulness, and knowledge of falsity (perjury) or lack of belief in the truth of the matter asserted (filing a false tax return)”]; *In re Kristovich* (1976) 18 Cal.3d 468, 472 [perjury 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, supra*, 25 Cal.4th at p. 7.) Disbarment is mandatory. (*Id.* at p. 9.)

We therefore recommend that Gary Wanki Park, State Bar number 173390, 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.

MURCELL

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 May 6, 2016, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED MAY 6, 2016

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:

GARY W. PARK
THE OXBRIDGE LAW GROUP, PC
1055 W 7TH ST STE 2800
LOS ANGELES, CA 90017

- X 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 May 6, 2016.



Rosalie Ruiz
Case Administrator
State Bar Court