THE STATE BAR OF CALIFORNIA OFFICE OF THE CHIEF TRIAL COUNSEL CHARLES A. MURRAY 845 South Figueroa Street Los Angeles, California 90017-2515 Telephone: (213) 765-1000



AUG 19 2015

STATE NAR COURT OLIGORIS CAPACE LOS ALVELES

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE CONVICTION OF:) Case No. 15-C-11767
TODD EDWARD MACALUSO, No. 133009,	 Transmittal of Records of Conviction of Attorney (Bus. & Prof. Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.)
	 [X] Felony; [X] Crime(s) involved moral turpitude;
A Member of the State Bar.) [] Probable cause to believe the crime(s) involved moral) turpitude;
) [] Crime(s) which may or may not involve moral turpitude or other misconduct warranting discipline;
) [] Transmittal of Notice of Finality of Conviction.

To the CLERK OF THE STATE BAR COURT:

- 1. Transmittal of records.
- [X] A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of the Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the Bar and for such consideration and action as the Court deems appropriate:
- [] B. Notice of Appeal
- [] C. Evidence of Finality of Conviction (Notice of Lack of Appeal)
- [] D. Other

Name of Member: TODD F	EDWARD MACALUSO
Date member admitted to prac	tice law in California: January 4, 1988
Member's Address of Record:	Macaluso & Associates
	402 W. Broadway, 25 th Flr.
	San Diego, CA 92101

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named member of the State Bar was convicted as follows:

Date of entry of conviction: June 10, 2015



Convicting court: U.S. District Court, Southern District of California

Case number(s): 15-CR-00948

Crime(s) of which convicted and classification(s): <u>Violation of Title 18 United States Code §1343 (Wire Fraud)</u>, a felony involving moral turpitude analogous to *In re Utz* (1989) 48 Cal.3d 468.

[X] 3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.

[X] 4. Other information to assist the State Bar Court

Upon finality of the conviction, the State Bar will seek a request for summary disbarment.

DOCUMENTS TRANSMITTED:

Certified Information Certified Findings and Recommendation of the Magistrate Judge upon a Plea of Guilty Certified Order Accepting Plea of Guilty Certified Docket

> THE STATE BAR OF CALIFORNIA OFFICE OF THE CHIEF TRIAL COUNSEL

BY: CHARLES A. MURRAY Senior Trial Counsel

DATED:

8 18 2015.

DECLARATION OF SERVICE BY CERTIFIED MAIL

2 CASE NUMBER: 15-C-11767

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3	I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California
4	90017, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the
5	United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with
6	the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or
7 8	package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on
° 9	the date shown below, a true copy of the within
10	Transmittal of Records of Conviction of Attorney; Certified Informaiton; Certified
11	Findings and Recommendation of the Magistrate Judge upon a Plea of Guilty; Certified Order Accepting Plea of Guilty; Certified Docket
12	in a sealed envelope placed for collection and mailing as certified mail, return receipt requested,
13	Article No.: 9414 7266 9904 2010 0713 89, at Los Angeles, on the date shown below, addressed to:
14	Todd Edward Macaluso
15	Macaluso & Associates 402 W. Broadway, 25th Flr. San Diego, CA 92101
16	Courtesy copy via regular mail to:
17	
18	John David Kirby John Kirby, Atty at Law 1010 Second Ave., Ste. 2400
19	San Diego, CA 92101
20	in an inter-office mail facility regularly maintained by the State Bar of California addressed to:
21	N/A
22	I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.
23	DATED: <u>August 19, 2015</u> Signed:
24	Kape Pacheco
25	Declarant
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