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JUL 22 2016

STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 15-C-12767
)	
JERRY GRUENBAUM,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 181916.)	
_____)	

On May 4, 2016, the Office of the Chief Trial Counsel of the State Bar (OCTC) filed a motion for summary disbarment based on Jerry Gruenbaum's felony conviction. Gruenbaum did not respond. We grant the motion and recommend that Gruenbaum be summarily disbarred.

On July 15, 2014, Gruenbaum pled guilty to two counts of violating title 26 United States Code section 7206(1) (making and subscribing a false tax return). Effective June 27, 2016, Gruenbaum was placed on interim suspension from the practice of law. With its motion for summary disbarment, OCTC submitted evidence that the conviction had become final. Specifically, neither 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.) Therefore, the conviction is 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).)

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The record of conviction establishes both criteria for summary disbarment. First, Gruenbaum's offense is a felony. (18 U.S.C. § 3559(a) [classifying offenses based on sentencing

ranges]; 26 U.S.C. § 7206 [punishable with imprisonment up to 3 years].) Second, Gruenbaum's offense involves moral turpitude. (*In the Matter of Moriarty* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 245 [making and subscribing a false income tax return involves moral turpitude].) Accordingly, Gruenbaum's conviction qualifies him for summary disbarment.

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 Jerry Gruenbaum, State Bar number 181916, 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.

PURCELL

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 July 22, 2016, I deposited a true copy of the following document(s):

ORDER FILED JULY 22, 2016

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

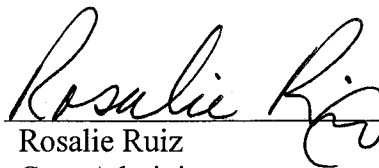
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

JERRY GRUENBAUM
150 N MAIN ST #208
MANCHESTER, CT 06040

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

CHARLES A. MURRAY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 22, 2016.



Rosalie Ruiz
Case Administrator
State Bar Court