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STATE BAR COURT
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**REVIEW DEPARTMENT OF THE STATE BAR COURT
IN BANK**

In the Matter of)	Case No.: 10-C-11088
)	
ANDREW HAN)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
A Member of the State Bar, No. 167073.)	
)	
_____)	

On February 9, 2011, the State Bar filed a request for recommendation of summary disbarment based on Andrew Han's felony conviction. Han did not file a response. We grant the request and recommend that Han be summarily disbarred.

On May 11, 2006, Han pled guilty to a felony violation of title 21 United States Code section 963 (conspiracy to import methamphetamine in violation of 21 U.S.C. § 959, and conspiracy to import ephedrine in violation of 21 U.S.C. § 960(d)(3)). Effective March 30, 2011, we placed Han on interim suspension. On February 9, 2011, the State Bar transmitted evidence that Han's 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).) The record of conviction establishes that Han's conviction for conspiracy to import methamphetamine is a felony involving moral



turpitude and thus, meets the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c).¹

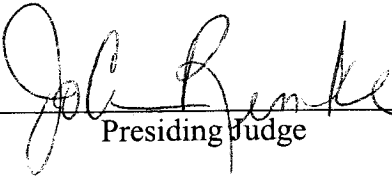
The moral turpitude classification of the crime of conspiracy depends upon the object of the conspiracy. (*In re McAllister* (1939) 14 Cal.2d 602, 603 [if the commission of an offense involves moral turpitude, then a conspiracy to commit the offense would also involve moral turpitude].) The distribution of methamphetamine was an object of Han's conspiracy conviction. Title 21 United States Code section 959 requires the manufacture or distribution of a controlled substance for the purpose of unlawful importation. According to the charging document, Han conspired to manufacture and distribute methamphetamine intending and knowing that it would be imported into the United States. With the exception of marijuana, the Supreme Court has held that drug distribution involves moral turpitude. (*In re Leardo* (191) 53 Cal.3d 1, 10 [possession of heroin and cocaine with intent to distribute involves moral turpitude]; *In re Giddens* (1981) 30 Cal.3d 110, 112 [conspiracy to distribute amphetamines involves moral turpitude].) Therefore, Han's conviction 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 Andrew Han, State Bar number 167073, be disbarred from the practice of law in this state. We also recommend that he be ordered to comply with rule 9.20 of the California Rules of Court 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

¹ We conclude Han's conviction for this crime is sufficient to recommend that he be summarily disbarred and therefore we are not relying on the conspiracy to import ephedrine in violation of 21 U.S.C. § 960(d)(3).

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.


Presiding Judge

CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; 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 March 16, 2011, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED MARCH 16, 2011

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:

ANDREW HAN
13700 ROSECRANS AVE
SANTA FE SPRINGS, CA 90670

- by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

- by overnight mail at , California, addressed as follows:


- by fax transmission, at fax number . No error was reported by the fax machine that I used.

- By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

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

Murray B. Greenberg, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on March 16, 2011.


Milagro del R. Salmeron
Case Administrator
State Bar Court