STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 14-C-04759
)	
CHRISTOPHER RICHARD GARCIA,)	RECOMMENDATION OF
)	SUMMARY DISBARMENT
A Member of the State Bar, No. 123105.)	
)	

On April 13, 2015, the Office of Chief Trial Counsel of the State Bar (OCTC) filed a request for summary disbarment based on Christopher Richard Garcia's felony conviction. Garcia did not respond. We grant the request and recommend that Garcia be summarily disbarred.

On October 21, 2014, Garcia pled nolo contendere to a felony violation of Penal Code section 311.11, subdivision (a) (possession of matter depicting minor engaging in sexual conduct). On December 18, 2014, we placed Garcia on interim suspension. On April 13, 2015, OCTC submitted evidence that the conviction had become 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 both criteria for summary disbarment.

First, Garcia was charged with and convicted of a felony violation of Penal Code section 311.11, subdivision (a). (Pen. Code, § 311.11, subd. (a) [crime punishable by imprisonment in state prison is felony].)

Second, the crime of child pornography "constitutes moral turpitude per se . . . . The knowing possession of child pornography is 'a serious breach of the duties of respect and care that all adults owe to all children, and it show[s] such a flagrant disrespect for the law and for societal norms, that continuation of [*a convicted attorney's*] State Bar membership would be likely to undermine public confidence in and respect for the legal profession.' [Citation]." (*In re Grant* (2014) 58 Cal.4th 469, 480-481 [discussing attorney's conviction for violating Pen. Code, § 311.11, subd. (a)].) 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 Christopher Richard Garcia, State Bar number 123105, 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.

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. 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 12, 2015, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT
FILED MAY 12, 2015

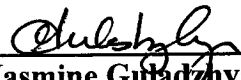in a sealed envelope for collection and mailing on that date as follows:

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

CHRISTOPHER R. GARCIA
OFC CITY ATTY/LAWA
1 WORLD WAY # 104
LOS ANGELES, CA   90045

[X]   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 May 12, 2015.

_____
Jasmine Guladzhyan
Case Administrator
State Bar Court