

FILED

OCT 20 2017

STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 15-C-12460
JUAN ENRIQUE PEARCE,)	RECOMMENDATION OF SUMMARY
A Member of the State Bar, No. 236228.)	DISBARMENT
_____)	

On September 28, 2017, the Office of Chief Trial Counsel of the State Bar (OCTC) transmitted evidence that, on December 26, 2016, Juan Enrique Pearce pled guilty to felony violations of Penal Code sections 311.1, subdivision (a) (distribution of child pornography), 311.11, subdivision(a) (possession or control of child pornography) with two admitted allegations pursuant to section 311.11(c)(1) and (2), and section 496, subdivision (a) (receiving or buying stolen property) and that the conviction is final. This court placed Pearce on interim suspension from the practice of law, which will take effect on November 13, 2017.

Concurrently with the evidence of the conviction, OCTC filed a request for summary disbarment based on Pearce's felony conviction. Pearce did not file a response. We grant the request and recommend that Pearce be summarily disbarred.

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



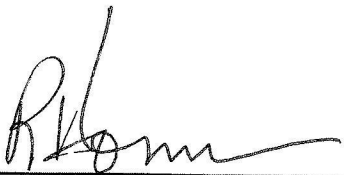
turpitude.” (Bus. & Prof. Code, § 6102, subd. (c).) The record of conviction establishes both criteria for summary disbarment.

First, Pearce was charged with and pled guilty to felonies. (See also Bus. & Prof. Code, § 6102, subd. (b); Pen. Code, §§ 17, 311.1 subd.(a), 311.11, subds. (a),(c), 496, 1170, subd. (h).)

Second, Pearce’s conviction necessarily involves moral turpitude. (*In re Grant* (2014) 58 Cal.4th 469 [felonious possession of child pornography is moral turpitude per se because the crime involves exploitation of children and shows flagrant disrespect for the law and for societal norms]; *In re Plotner* (1971) 5 Cal.3d 714, 726 [receipt of stolen property involves moral turpitude].) Accordingly, Pearce’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 Juan Enrique Pearce, State Bar number 236228, 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.



Acting Presiding Judge

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am an Administrative Assistant 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 October 20, 2017, I deposited a true copy of the following document:

RECOMMENDATION OF SUMMARY DISBARMENT FILED OCTOBER 20, 2017

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:

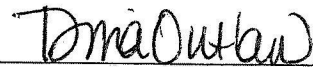
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- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Carla L. Cheung, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 20, 2017.



Dina Outlaw
Administrative Assistant
State Bar Court