

FILED

JUL 18 2019

**STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

En Banc

In the Matter of)	No. SBC-19-C-30110
)	
ROLAND LAWRENCE BENNETT,)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
State Bar No. 224123.)	
_____)	

On May 24, 2019, the Office of Chief Trial Counsel of the State Bar (OCTC) filed a request for summary disbarment based on Roland Lawrence Bennett's felony conviction in the Superior Court of California, County of Tehama. Bennett did not respond. We grant the request and recommend that Bennett be summarily disbarred.

On January 11, 2019, Bennett pleaded guilty to and was convicted of two felony counts of violating Penal Code section 136.1, subdivision (a)(1) (knowingly and maliciously dissuading a witness from attending or giving testimony at trial). OCTC transmitted evidence of Bennett's conviction on March 12, 2019. On April 4, 2019, we ordered OCTC to additionally file official superior court minutes or dockets to fully establish Bennett's conviction. On May 3, 2019, OCTC responded to our order by filing certified court records. On May 24, 2019, OCTC transmitted evidence of finality by providing a Clerk's Notice of Appeal/Lack of Appeal demonstrating that Bennett did not timely appeal the Superior Court's judgment. Therefore, Bennett's conviction is final. (Cal. Rules of Court, rule 9.10(a).) On June 21, 2019, we issued an order placing Bennett on interim suspension, effective July 15, 2019.

After a 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 Bennett’s violation meets both criteria for summary disbarment.

First, Bennett pled guilty to and was convicted of a felony. (Pen. Code, § 136.1(a)(1) [knowingly and maliciously dissuading a witness from attending or giving testimony at trial is punishable in state prison or county jail for up to one year]; Pen. Code, § 17(a) [crime punishable by imprisonment in state prison or imprisonment in county jail under the provisions of Pen. Code, § 1170(h) is a felony].) Second, Bennett’s felony conviction involves moral turpitude per se. The crime of dissuading a witness necessarily involves moral turpitude since it requires the specific intent to maliciously dissuade a witness from testifying at any trial, proceeding, or inquiry authorized by law. (See *People v. Young* (2005) 34 Cal.4th 1149, 1210; see also *In re Hanley* (1975) 13 Cal.3d 448, 450 [bribing witness not to testify is a crime against the judicial process involving moral turpitude]; *In re Craig* (1938) 12 Cal.2d 93, 97 [an offense to corruptly influence, obstruct, impede, hinder and embarrass the due administration of justice is moral turpitude].) Accordingly, Bennett’s felony 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 Roland Lawrence Bennett, State Bar number 224123, 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 Court Specialist 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 18, 2019, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED JULY 18, 2019

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:

ROLAND LAWRENCE BENNETT
PO BOX 174
CORNING, CA 96021-0174

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

Kevin B. Taylor, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 18, 2019.



Julieta E. Gonzales
Court Specialist
State Bar Court