

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary
Action against ALFRED PEREZ, JR.,
a Minnesota Attorney,
Registration No. 181353.

**PETITION FOR
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

Upon the approval of the Chair of the Lawyers Professional Responsibility Board, the Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition pursuant to Rules 10(c) and 12(a), Rules on Lawyers Professional Responsibility (RLPR). The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on April 22, 1987. Respondent currently practices law in Los Angeles, California.

As more particularly alleged below, on October 19, 1994, respondent pled guilty and was convicted of mail fraud and money laundering in violation of 18 U.S. Code §§ 1341 and 1956, within the meaning of Rule 10(c), RLPR. Although required to do so by Rule 12(d), RLPR, respondent did not notify the Director of his subsequent resignation with charges pending from the California state bar.

Respondent committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. By indictment dated October 6, 1993, respondent was charged with criminal mail fraud and money laundering in the United States District Court for the Northern District of California in violation of Title 18, United States Code §§ 1341 and 1956. A superceding indictment, alleging eight counts of mail fraud and money laundering was filed on August 8, 1994. Exhibit 1. Respondent's alleged criminal activity occurred as part of respondent's practice of law.

2. On October 19, 1994, respondent entered a plea of guilty to four counts of mail fraud. Exhibits 2 and 3. Respondent was sentenced to five months of monitored home detention, three years probation and a fine of \$3,000.

3. Rule 19(a), RLPR, states:

A lawyer's criminal conviction in any American jurisdiction . . . is, in proceedings under these Rules, conclusive evidence that the lawyer committed the conduct for which the lawyer was convicted.

4. On January 20, 1995, respondent was suspended from the practice of law in California pending final disposition of disciplinary proceedings. Exhibit 4. On April 13, 1995, an Order to Show Cause as to why respondent should not be disbarred was issued. Exhibit 5.

5. In October 1995, the California Supreme Court accepted respondent's resignation with charges pending from the California State Bar. Thereupon, disciplinary proceedings were dismissed without prejudice should respondent ever seek reinstatement. Exhibit 6. To date, respondent has never sought reinstatement to the California State Bar.

6. Rule 12(d), RLPR, states:

Upon learning from any source that a lawyer licensed to practice in Minnesota has been publicly disciplined or is subject to public disciplinary charges in another jurisdiction, the Director may commence an investigation and, without further proceedings, may file a petition for disciplinary action [with] this Court. A lawyer subject to such charges or discipline shall notify the Director. (Emphasis added.)

Respondent failed to ever notify the Director of the California disciplinary proceedings. The Director first learned of respondent's criminal conviction and resignation from the California bar in July 2003 as part of the investigation of a complaint against respondent.

7. Since his resignation from the California bar, respondent has practiced law in immigration administrative proceedings in Arizona and California. To do so, an attorney must be a member in good standing of the bar in any state. Respondent has continued to practice immigration law based solely upon his Minnesota license.

8. In October 2000, respondent was issued an admonition by the Director for failing to attend an immigration hearing in Arizona on behalf of a client. Exhibit 7. The Director was aware at the time that respondent was practicing immigration law based upon his Minnesota license, and that such practice was authorized. The Director was not aware at that time, however, that respondent had previously been licensed in California and had resigned based upon a federal criminal conviction relating to his California law practice.

9. Respondent's conduct of committing mail fraud within the practice of law and of failing to notify the Director of the California disciplinary proceedings as required violated Rules 3.4(c), 8.4(b), (c) and (d), Minnesota Rules of Professional Conduct (MRPC).

WHEREFORE, the Director respectfully prays for an order of this Court disbarring respondent or imposing otherwise appropriate discipline, awarding costs and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: August 19, 2003.

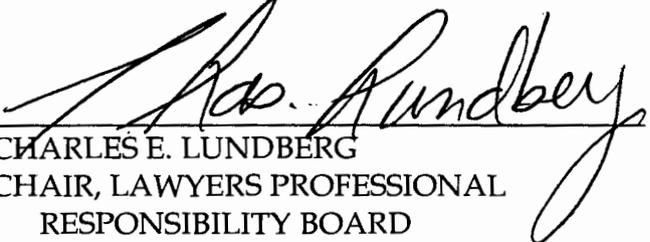

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and

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Pursuant to Rule 10(c) and 12(a), RLPR, this petition for disciplinary action is hereby approved.

Dated: August 20, 2003.


CHARLES E. LUNDBERG
CHAIR, LAWYERS PROFESSIONAL
RESPONSIBILITY BOARD