PUBLIC MATTER – NOT DESIGNATED FOR PUBLICATION

February 11, 2016

STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

In the Matter of	)	Case No. 13-C-10324
	)	
ANDREW WILLIAM QUINN,	)	OPINION AND ORDER
	)	
A Member of the State Bar, No. 209654.	)	
	)	

Andrew William Quinn appeals a hearing judge's decision recommending his disbarment. The decision rests on facts pertaining to Quinn's 2012 misdemeanor conviction for peeking into his 18-year-old stepson's bedroom window. Four years earlier, in 2008, Quinn installed two cameras to observe another teenaged stepson masturbate. When the cameras were discovered, Quinn lied to his family about his involvement for two years.

Quinn concedes on review that the circumstances surrounding his 2012 conviction involved moral turpitude, but urges a three-year suspension, arguing that disbarment is excessive. He seeks more mitigation and challenges the hearing judge's finding that his testimony lacked candor. The Office of the Chief Trial Counsel of the State Bar (OCTC) supports Quinn's disbarment. Because Quinn admits culpability for moral turpitude, the primary issue before us is the level of discipline.

After independently reviewing the record (Cal. Rules of Court, rule 9.12), we affirm the hearing judge's disbarment recommendation. Quinn twice engaged in egregious misconduct for his sexual gratification, was dishonest about the 2008 incident, and displayed a lack of candor in his trial testimony as to the 2012 incident. Given Quinn's misconduct and his dishonesty, we

agree with the hearing judge that "anything short of disbarment would be likely to undermine [the] public's confidence in and respect for the legal profession."

I. PROCEDURAL BACKGROUND

Quinn was admitted to the Maryland State Bar Association in 1988 and to the State Bar of California in 2000. He has no prior record of discipline.

On May 30, 2012, Quinn was caught peeking through his 18-year-old stepson's bedroom window. His stepson filed a police report on June 11, 2012, and the following day, sought a temporary civil restraining order (TRO). Quinn opposed the TRO, stating in his June 21, 2012 declaration that as the owner of the house, he had a right to be on the patio outside his stepson's window. In December 2012, Quinn was criminally charged. In March 2013, he pled no contest to one misdemeanor count of violating Penal Code section 647, subdivision (j)(1) (looking through window with intent to invade privacy of person inside). Quinn received a suspended sentence, was placed on summary probation, and was ordered to attend sex offender counseling and to stay 100 yards away from his stepson.[1]

OCTC initiated this proceeding when it transmitted the record of conviction to this department. Once Quinn's conviction became final, we referred this matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed if the facts and circumstances surrounding the conviction involved moral turpitude or other misconduct warranting discipline. (Bus. & Prof. Code, § 6102; Cal. Rules of Court, rule 9.10.)

The parties filed a pretrial stipulation as to facts. During the three-day trial in mid-2014, OCTC presented the testimony of Quinn's stepchildren and his ex-wife. Quinn presented the

[1] On May 4, 2015, we granted Quinn's Motion to Augment the Record with an order from the San Diego Superior Court that granted his petition for dismissal under Penal Code section 1203.4. The dismissal, however, has no effect on Quinn's discipline case. (*In the Matter of Posthuma* (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 813, 820, fn. 7 [conviction deemed final regardless of whether, after attorney's successful completion of probation, it is later set aside or dismissed under Penal Code section 1203.4].)

testimony of Francisco Gomez, Jr., Ph.D., a forensic and clinical neuropsychologist. At trial, OCTC requested that Quinn be disbarred; Quinn sought a one-year suspension, arguing that the facts and circumstances surrounding his conviction did not involve moral turpitude. On August 22, 2014, the hearing judge issued his decision recommending Quinn's disbarment.

II. FINDINGS OF FACT

The hearing judge's findings of fact are entitled to great weight. (Rules Proc. of State Bar, rule 5.155(A).) The record clearly and convincingly establishes the facts and circumstances surrounding Quinn's conviction and supports the hearing judge's conclusion that those facts and circumstances involved moral turpitude. (*Conservatorship of Wendland* (2001) 26 Cal.4th 519, 552 [clear and convincing evidence leaves no substantial doubt and is sufficiently strong to command unhesitating assent of every reasonable mind].) We summarize the relevant facts below, including the circumstances surrounding the 2008 incident.

A. Quinn Hid Cameras to Film his Older Stepson in 2008

In July 2007, Quinn married his second wife, a widow with three children: a 15-year-old son and 13-year-old twins (a son and daughter). In February 2008, Quinn hid cameras in his older stepson's shower and above his bed; his stepson was 16 years old at the time. Quinn testified in this proceeding: "My intent was to observe [my older stepson] masturbating," but he claimed the cameras never worked. His stepson discovered the camera in the shower two months after Quinn installed it. At the time, Quinn denied responsibility. He affirmed at trial that he pretended to trace the cables, and just happened to find the second camera. He suggested to his stepson and wife that the previous homeowner had set up the cameras. Quinn discarded them 10 days later. No criminal charges were brought.

Quinn asserts the hearing judge misstated that Quinn lied for two years about the 2008 incident because, he argues, he was not regularly confronted about it. At trial, however, Quinn

acknowledged denying that he placed the cameras in his stepson's bedroom and shower: "It wasn't a regular conversation, but I did deny it for—I did not admit it for two—until two years later." Whether Quinn lied once or continuously after the cameras were discovered, he misled his family about his misdeeds for a significant period of time.[2]

In May 2010, Quinn's wife found him watching pornography, which prompted her to ask again if he had installed the cameras in 2008. He again denied responsibility. His wife made an appointment with a counselor and, the day before the appointment, Quinn admitted his involvement. He moved into the guest bedroom above the garage, then to an apartment. After Quinn attended counseling, he returned to live above the garage and eventually moved back into the main house. He agreed to certain restrictions, including staying out of the house from 6:00 a.m. to 10:00 p.m. unless his wife was at home and awake.

B. Quinn Was Caught Looking through his Younger Stepson's Window in 2012

On May 30, 2012, at approximately 10:30 p.m., Quinn looked through his younger stepson's bedroom window from an outside patio area. His stepson, who was 18 years old, was sitting on a couch wearing boxer shorts; he usually took his evening shower between 10:00 p.m. and midnight. Quinn's stepdaughter saw Quinn peeking through the window, and quickly alerted her brother. The stepson confronted Quinn, demanding to know what he was doing. Quinn responded, "I'm sorry. I f——d up." He immediately told his wife what happened, and returned to the guest bedroom above the garage. The following day, Quinn sent an email to his wife stating that "he [would] not have [her] or [her] kids feeling unsafe in their own home," and that he "really thought [he] had conquered this demon." He continued: "I still want to heal this sh—t that is inside me that has once again raised its ugly head and ruined everything." Quinn and his wife subsequently separated and divorced.

[2] In addition, the hearing judge's finding that Quinn was dishonest with his family for two years formed part of the moral turpitude determination, which Quinn does not contest.

The hearing judge found that Quinn looked through his younger stepson's window for sexual gratification. Quinn disputes this finding, citing his trial testimony that he looked through the window to see if his stepson "was stockpiling wine or beer" based on a tweet his stepson posted the day before about drinking at a friend's house. Quinn further claimed that the reason he apologized immediately to his family was because he had breached the boundaries he and his ex-wife established in 2010, but he maintained he did not have a sexual interest in watching his younger stepson.

The hearing judge concluded Quinn's testimony regarding the reason he looked into his stepson's bedroom was not credible because Quinn did not mention that he was looking for alcohol immediately after he was caught peeking, in his email to his wife the next day, in his declaration opposing his stepson's TRO, or in an autobiography he prepared during sex offender counseling. We give great weight to this credibility finding, which is supported by the record and the judge's reasoning. (*McKnight v. State Bar* (1991) 53 Cal.3d 1025, 1032 [hearing judge "is best suited to resolving credibility questions, because [he] alone is able to observe the witnesses' demeanor and evaluate their veracity firsthand"].) In addition, Quinn's explanation about his search for alcohol is foreclosed by his criminal conviction, which conclusively established that his stepson's reasonable expectation of privacy precluded Quinn from having the right to look through the bedroom window. (Bus. & Prof. Code, § 6101, subd. (a).) Quinn's "attempt to recast his behavior is inconsistent with his [no contest] plea." (*In re Grant* (2014) 58 Cal.4th 469, 479.) Like the hearing judge, we conclude that Quinn peeked through his stepson's window for sexual gratification.

III. QUINN CONCEDES HIS CONVICTION INVOLVES MORAL TURPITUDE

The California Supreme Court has explained that "[c]riminal conduct not committed in the practice of law or against a client reveals moral turpitude if it shows a deficiency in any character trait necessary for the practice of law (such as trustworthiness, honesty, fairness, candor, and fidelity to fiduciary duties) or if it involves such a serious breach of a duty owed to another or to society, or such a flagrant disrespect for the law or for societal norms, that knowledge of the attorney's conduct would be likely to undermine public confidence in and respect for the legal profession." (*In re Lesansky* (2001) 25 Cal.4th 11, 16.) The hearing judge found that the facts and circumstances surrounding Quinn's conviction involved moral turpitude. On review, Quinn concedes this point.

We also find that the definition of moral turpitude is met when we examine the facts and circumstances surrounding Quinn's crime. (*In re Gross* (1983) 33 Cal.3d 561, 566 [misconduct, not conviction, warrants discipline].) His actions in the 2008 and 2012 incidents involved preparation with a premeditated purpose and a complete disregard for both stepsons' privacy. In 2008, he planned and executed installation of the hidden cameras. He accomplished this by taking advantage of his position of trust in the household to prey on a vulnerable, unaware 16-year-old victim. In 2012, he abused that same trust to peek at his other stepson, which resulted in his criminal conviction. Given these circumstances, the hearing judge correctly found that Quinn "demonstrated a flagrant disregard for the law and societal norms . . . [where he] consciously and repeatedly placed himself in a position to violate [his stepsons' privacy]."

IV. SERIOUS AGGRAVATION AND LIMITED MITIGATION

The offering party must show aggravation or mitigation by clear and convincing evidence. (Stds. 1.5, 1.6.)[3] The hearing judge found three aggravating circumstances and four mitigating circumstances. We adopt these findings, but adjust the weight of certain circumstances.

A. Aggravating Circumstances

1. Multiple Acts

Multiple acts of wrongdoing constitute a circumstance in aggravation. (Std. 1.5(b).) The hearing judge assigned this circumstance significant weight because Quinn victimized his stepsons on separate occasions in 2008 and 2012. We agree.

2. Significant Harm to Quinn's Family Members

Significant harm to the client, the public, or the administration of justice is an aggravating circumstance. (Std. 1.5(j).) Quinn admitted he harmed his family. The hearing judge found significant harm, noting that the "victims were particularly vulnerable as they reasonably expected privacy while showering and undressing." Although the judge did not indicate the aggravating weight to be assigned to this harm, we find it merits significant weight in light of the family members' testimony, which included the following statements.

Quinn's older stepson found Quinn's dishonesty unsettling. He testified that when he discovered the cameras in 2008, Quinn "[l]ooked right in my eyes and said [he had] no idea [who put the cameras there]. He gave me a hug; said 'No, I didn't put it there.' " His stepson recalled that he felt scared, confused and "very violated" when he learned in 2010 that Quinn had

[3] Effective July 1, 2015, the Rules of Procedure of the State Bar, title IV, Standards for Attorney Sanctions for Professional Misconduct, were revised and renumbered. Because this request for review was submitted for ruling after the July 1, 2015 effective date, we apply the revised version of the standards. All further references to standards are to this source.

installed the cameras. He explained, "I've never seen anyone else lie in that manner, I mean, have such composure and lie with such a—to lie in such a convincing way, and to hold that lie to multiple people in multiple different ways for so many years. I can't think of anyone who should hold a license to uphold the law and be able to lie that easy."

Quinn's stepdaughter testified that the "whole entire proceeding has been . . . extremely emotionally damaging for all of us." His younger stepson testified that it's "hard to trust people," indicating in his victim impact statement that he still checks his blinds at night for fear someone may be watching him. And his ex-wife testified that she had to seek counseling and medication because she "went through a lot of anxiety" as a result of Quinn's conduct.

3. Lack of Candor

The hearing judge found that Quinn's testimony lacked candor. (Std. 1.5(l) [lack of candor is an aggravating circumstance].) The judge assigned "considerable" aggravating weight to this lack of candor because he found that Quinn attempted to "diminish his misconduct [by arguing] that he was spying on his stepson to see if the 18-year-old was drinking or had possession of alcohol." Quinn's testimony, the judge found, was "contrary to every inference that may be drawn from the statements made to the family members within minutes of the conduct, the email [sent to his wife the next day], and the autobiography." The judge concluded that Quinn's real motive was sexual gratification and that his "claimed search for alcohol was simply an untrue, after-the-fact explanation." We agree with the judge's findings, but assign significant weight in aggravation to Quinn's lack of candor.

B. Mitigating Circumstances

1. No Prior Record of Discipline

The absence of any prior record of discipline over many years of practice coupled with present misconduct that is not likely to recur is a mitigating circumstance. (Std. 1.6(a).) The

hearing judge found that Quinn's 20-plus years of discipline-free practice were mitigating but assigned no weight to it. We assign modest mitigating credit for Quinn's lengthy practice.

When misconduct is serious, as it decidedly was here, a long record without discipline is most relevant when the misconduct is aberrational. (*Cooper v. State Bar* (1987) 43 Cal.3d 1016, 1029.) Quinn hid cameras in 2008, lied about it for two years, and then committed further misconduct in 2012—even after he attended counseling in 2010 that addressed his 2008 misconduct. Thus, full mitigating credit is not merited as Quinn's misconduct was not aberrational nor can we say it is unlikely to recur.

2. Extreme Emotional Distress

Extreme emotional difficulties may be a mitigating circumstance if they were present at the time of the misconduct, were established by expert testimony as directly responsible for the misconduct, and no longer pose a risk that the member will commit misconduct. (Std. 1.6(d).)

Quinn argues that he is entitled to significant mitigating credit for his emotional difficulties because he proved that his misconduct resulted from being sexually abused in the past and he will not re-offend in the future. He presented testimony and reports from Francisco Gomez, Jr., Ph.D.,[4] who opined that Quinn "was at a low risk of re-offending." Nevertheless, Dr. Gomez's report states that "in spite of [Quinn] attending therapy and gaining insight into his behavior, because this is the second time this behavior has occurred he needs to be supervised in his relationships with adolescent males." When questioned at trial about this conclusion, Dr. Gomez testified, "Well, I think that's always going to be an issue."[5]

[4] Dr. Gomez interviewed Quinn on only one occasion two days before the disciplinary trial and more than a year and a half after the 2012 incident. The interview lasted approximately three hours.

[5] Dr. Gomez continued with the following example: "It's like an alcoholic. You know, they're always going to have that issue of alcoholism. Doesn't mean they're going to re-offend

The hearing judge considered Dr. Gomez's testimony, but found that Quinn failed to prove by clear and convincing evidence that he no longer poses a risk, given the doctor's opinion that Quinn will need to be supervised with adolescent males. The judge assigned limited mitigation to Quinn's emotional difficulties, and we agree. (*In the Matter of Wenzel* (Review Dept., January 26, 2015, 12-C-15595) __ Cal. State Bar Ct. Rptr. __ [2015 WL 1400080, p. *4] [no mitigation for extreme emotional distress where expert testimony fails to establish respondent no longer poses risk].)

4. Good Character

Extraordinary good character attested to by a wide range of references in the legal and general communities who are aware of the full extent of the misconduct is entitled to mitigation credit. (Std. 1.6(f).) The hearing judge gave significant weight in mitigation to Quinn's favorable character evidence from five witnesses who provided declarations confirming they knew about Quinn's misconduct and attesting to his good character. Three were attorneys and two were community members. Quinn had hired two of the three attorneys to represent him, and the third was a colleague he had formerly supervised. The two community witnesses were a pastor Quinn had known for two years and a friend he met as a Boy Scout leader 15 years earlier. The hearing judge also noted Quinn's stepchildren's testimony that he had been a good provider, took his younger stepson on an international trip, and coached youth basketball.

We find that Quinn's character witness declarations do not merit the significant mitigating credit the hearing judge assigned. The character evidence was of limited nature and quality and therefore did not prove Quinn possessed "extraordinary good character," as called for by the standard. (Std. 1.6(f).) We give less weight to Quinn's former family's statements due to the evidence of bad character they also revealed in their declarations. Four of the five character

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or drink again, but you don't want to continue to put them in bars, or go to parties where the main activity is drinking."

witnesses had known Quinn for less than three and a half years, leaving only one remaining declaration from a non-attorney friend with whom Quinn had a long-term relationship of 15 years. Accordingly, Quinn's character evidence is entitled to modest, not significant, weight in mitigation. (See *In the Matter of Kreitenberg* (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 469, 476-477 [character evidence entitled to limited weight where it was not from wide range of references]; compare with *In the Matter of Davis* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 576, 591-592 [significant weight given to testimony of two attorneys and fire chief who had long-standing familiarity with attorney and broad knowledge of his good character, work habits, and professional skills].)

5. Pro Bono Work and Community Service

Pro bono work and community service are mitigating circumstances. (*Calvert v. State Bar* (1991) 54 Cal.3d 765, 785.) Quinn's pastor stated in his declaration: "[Quinn] has supported the work of our church with his talents and financial resources." Quinn testified that he helped the choir by assisting with some of their legal issues, such as amending their Articles of Incorporation. While the hearing judge assigned significant weight to Quinn's community service, we find it merits limited weight because we know little about the extent of Quinn's efforts. (*In the Matter of Dyson* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 280, 287 [little mitigation for minimal testimony regarding pro bono activities].)

6. No Mitigation for Remorse

Prompt objective steps demonstrating spontaneous remorse and recognition of wrongdoing and timely atonement are a mitigating circumstance. (Std. 1.6(g).) Quinn contends he should receive mitigating credit because he showed remorse by moving out of the house and apologizing for violating the boundaries he and his ex-wife had established. He testified he regretted causing his family pain. The hearing judge found that Quinn's statements in his email

to his ex-wife the day after the 2012 incident exhibited significant remorse, but concluded that any mitigating impact was "diminished by the assertions prior to and during the trial that he was not looking into his stepson's room for the purpose of sexual gratification, but rather to inspect for . . . alcohol." The judge found that those statements and Quinn's opposition to the TRO were inconsistent with timely atonement. We agree and assign no mitigating credit for Quinn's claimed remorse. (*Hipolito v. State Bar* (1989) 48 Cal.3d 621, 627, fn. 2 [expressing remorse for misconduct is "an elementary moral precept which, standing alone, deserves no special consideration in determining the appropriate discipline"].)[6]

V. DISBARMENT IS THE APPROPRIATE DISCIPLINE

We begin by acknowledging that "the aim of attorney discipline is not punishment or retribution; rather, attorney discipline is imposed to protect the public, to promote confidence in the legal system, and to maintain high professional standards." (*In re Brown* (1995) 12 Cal.4th 205, 217; see also std. 1.1.) Our role is not to punish Quinn for his crime—the superior court has done so by sentencing him in the criminal proceeding. Instead, our objective is to recommend the professional discipline that will advance the goals of attorney discipline. In this case, we focus on preserving public confidence in the legal profession in light of Quinn's serious misconduct, and protecting the public given Dr. Gomez's professional opinion that Quinn should be supervised around adolescent males. We follow the standards whenever possible, and balance all relevant factors, including mitigating and aggravating circumstances, on a case-by-case basis, to ensure that the discipline imposed is consistent with its purpose. (*In re Young* (1989) 49 Cal.3d 257, 266-267 & fn. 11.)

[6] Quinn also testified that, although the reason he looked through his stepson's bedroom window was to check for alcohol, he came to realize there was also "a sexual connection" in making the choice to look at all. We find that this statement does not demonstrate spontaneous remorse or fully acknowledge wrongdoing worthy of mitigating credit.

Standard 2.15(c) provides for a wide range of discipline for Quinn's misconduct. It instructs that disbarment or actual suspension is the presumed sanction for misdemeanor convictions involving moral turpitude.

The hearing judge recommended disbarment, which is the most severe discipline under the standard. The judge reasoned that, although Quinn's misconduct involved a single misdemeanor conviction not directly related to the practice of law, the "facts and circumstances surrounding his voyeurism did involve deceit, concealment, and a lack of trustworthiness." The judge found this conduct reflected a disturbing disregard for the fundamental rule of law—that of common honesty—and concluded disbarment was necessary to maintain public confidence in and respect for the legal profession.

Quinn seeks a three-year actual suspension, arguing that he has expressed remorse, has sought treatment for the issues underlying his criminal conduct, and would not be a risk to the public if he were permitted to return to practice law after a lengthy suspension. We reject these arguments and find that disbarment is the appropriate discipline given Quinn's serious misconduct, his dishonesty surrounding the 2008 incident, and the aggravating evidence in this proceeding, particularly his lack of candor.

We note that the hearing judge recommended disbarment even without the benefit of our recent published opinion in, *In the Matter of Wenzel*, *supra*, __ Cal. State Bar Ct. Rptr. __ [2015 WL 1400080], a similar case which provides considerable guidance.[7] (*Snyder v. State Bar* (1990) 49 Cal.3d 1302, 1310-1311 [case law provides guidance on discipline].) Wenzel was convicted under the same misdemeanor peeking statute as Quinn for repeatedly making surreptitious video recordings of patrons in a public restroom and of his wife for his sexual gratification. His misconduct was aggravated by multiple acts of misconduct and significant

[7] Quinn was permitted, per his request, to argue *Wenzel* at the oral argument in November 2015 because the Supreme Court imposed discipline on Wenzel on June 26, 2015.

harm to the victims and the public. The misconduct was mitigated by a 30-year discipline-free practice, cooperation for entering into an extensive stipulation and volunteering that he had engaged in similar behavior years earlier, extraordinary good character evidence and pro bono work, and remorse and recognition of wrongdoing. Wenzel was actually suspended from the practice of law for two years, to continue until proof of rehabilitation, and placed on probation for three years.

Similar to *Wenzel*, Quinn's case involves a long-time practitioner who committed multiple acts of misconduct where the facts and circumstances surrounding the crime are serious. Quinn and Wenzel both placed hidden cameras for the purpose of sexual gratification, and their misconduct involved premeditation with conscious disregard of the fundamental privacy rights of others. Also like Wenzel, Quinn failed to present clear and convincing evidence that he is unlikely to commit future misconduct.

In marked contrast to Wenzel, however, Quinn has less mitigation and more aggravation, particularly that he was not forthright in these proceedings. With respect to the 2008 incident, Quinn admitted he hid the cameras for a sexual purpose, he lied and misled his family when the cameras were found, and he did not tell the truth until confronted two years later. But as to the 2012 incident, Quinn testified without candor when he claimed he peeked into his younger stepson's bedroom to look for alcohol and denied that his motive was for sexual gratification. We find that Quinn's repeated deceit makes his case appreciably more serious than *Wenzel* and threatens the public's confidence in the legal profession.[8] Further, unlike in *Wenzel*, the limited

[8] *Borré v. State Bar* (1991) 52 Cal.3d 1047, 1053 ("Petitioner's acts manifest an abiding disregard of the fundamental rule of ethics—that of common honesty—without which the profession is worse than valueless in the place it holds in the administration of justice"; *Stanley v. State Bar* (1990) 50 Cal.3d 555, 567 ("dishonest conduct is inimical to both the high ethical standards of honesty and integrity required of members of the legal profession and to promoting confidence in the trustworthiness of members of the profession)).

mitigating circumstances here do not establish that a more lenient sanction than disbarment is warranted. (Stds. 1.2(i), 1.7(c).)

We recommend Quinn's disbarment as the appropriate discipline under standard 2.15(c). A full reinstatement proceeding after Quinn is disbarred is the only measure that will adequately serve the goals of attorney discipline. Our recommendation stands for the point that a misdemeanor conviction involving moral turpitude, depending on the facts and circumstances, may result in severe professional discipline when combined with dishonesty and/or a lack of candor. (See *Chang v. State Bar* (1989) 49 Cal.3d 114, 128 [fraudulent and contrived misrepresentations to State Bar may constitute greater offense than misappropriation itself].)

VI. RECOMMENDATION

We recommend that Andrew William Quinn be disbarred from the practice of law, and that his name be stricken from the roll of attorneys admitted to practice in California. We further recommend that he must comply with the California Rules of Court, rule 9.20, and 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 order in this matter.

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.

VII. ORDER

The order that Andrew William Quinn be involuntarily enrolled as an inactive member of the State Bar, effective August 25, 2014, pursuant to Business and Professions Code

section 6007, subdivision (c)(4), will remain in effect pending the consideration and decision of the Supreme Court on this recommendation.

PURCELL, P. J.

WE CONCUR:

EPSTEIN, J.

STOVITZ, J.*

* Retired Presiding Judge of the State Bar Court, serving as Review Judge Pro Tem by appointment of the California Supreme Court.