



**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS**

IN THE MATTER OF	§	
STEPHEN YOUNG KANG	§	CAUSE NO. 57701
STATE BAR CARD NO. 24007465	§	

JUDGMENT OF DISBARMENT

On the 27th day of July 2018, the Board of Disciplinary Appeals called for hearing the Motion for Entry of Judgment of Disbarment filed in the above case by Petitioner, Commission for Lawyer Discipline of the State Bar of Texas, against Respondent, Stephen Young Kang. Petitioner appeared by counsel and announced ready. Respondent, Stephen Young Kang, although duly served with the Motion and hearing notice, did not answer or appear and wholly made default. After considering the evidence and hearing the argument of counsel, the Board finds that:

- (1) It has continuing jurisdiction of this matter pursuant to Texas Rules of Disciplinary Procedure Rule 8.05 ("TRDP");
- (2) The United States Court of Appeals for the Ninth Circuit, Case No. 16-50161, *United States of America v. Stephen Young Kang*, dismissed Kang's appeal of his criminal conviction on February 9, 2018 and issued its Mandate on or about March 5, 2018;
- (3) Petitioner filed its Motion for Entry of Judgment of Disbarment on or about May 24, 2018, and served same on Respondent in accordance with TRDP 8.05;
- (4) The affidavit of service was filed with the Board on July 14, 2018;
- (5) Respondent's conviction for the commission of Intentional Crimes as defined by TRDP 1.06(T), for which he was sentenced in the United States

District Court for the Central District of California, has become final and is not subject to appeal;

- (6) Respondent's criminal sentence is not fully probated; and
- (7) Petitioner's Motion for Entry of Judgment of Disbarment should be granted.

Interlocutory Suspension

On the 1st day of August 2016, the Board of Disciplinary Appeals entered a Default Interlocutory Order of Suspension, which included the following findings of fact and conclusions of law:

- (1) Respondent, Stephen Young Kang, whose State Bar Card number is 24007465, is licensed by the Supreme Court of Texas to practice law and is authorized to practice law in the State of Texas.
- (2) On or about October 20, 2015, Respondent was charged by First Superseding Indictment (Exhibit 1) with 22 counts of Wire Fraud, 3 counts of Engaging in Monetary Transactions in Property Derived from Specified Unlawful Activity, 2 counts of Aggravated Identity Theft, and 3 counts of Tax Evasion, in Cause No. 15-478(A)-GW, styled *United States of America, Plaintiff, v. Stephen Young Kang, Defendant*, in the United States District Court for the Central District of California.
- (3) On or about November 6, 2015, a Plea Agreement for Defendant Stephen Young Kang (Exhibit 2) was entered in Cause No. 15-478(A)-GW, styled *United States of America, Plaintiff, v. Stephen Young Kang, Defendant*, in the United States District Court for the Central District of California, wherein Respondent pled guilty to counts Eight, Twenty-Two and Twenty-Nine of the First Superseding Indictment, which charged Respondent in Counts Eight and Twenty-Two with Wire Fraud in violation of 18 U.S.C. § 1343 and Count Twenty-Nine with Tax Evasion in violation of 26 U.S.C. § 7201.
- (4) On or about April 6, 2016, a Judgment and Probation/Commitment Order (Exhibit 3) was entered in Cause No. 15-478(A)-GW, styled *United States of America v. Stephen Young Kang*, in the United States District Court for the Central District of California, wherein Respondent pled guilty to Wire Fraud and Tax Evasion and was committed to the custody of the Bureau of Prisons to be imprisoned for a term of sixty-three (63) months. This term consists of sixty-three (63) months on each of Counts Eight and Twenty-Two and sixty (60) months on Count Twenty-Nine, all to be served

concurrently. Upon release from imprisonment, Respondent shall be placed on supervised release for a period of three (3) years.

- (5) On or about April 6, 2016, an Amended Judgment and Probation/Commitment Order (Exhibit 4) was entered in Cause No. 15-478(A)-GW, styled *United States of America v. Stephen Young Kang*, in the United States District Court for the Central District of California, wherein Respondent pled guilty to Wire Fraud and Tax Evasion and was committed to the custody of the Bureau of Prisons to be imprisoned for a term of sixty-three (63) months. This term consists of sixty-three (63) months on each of Counts Eight and Twenty-Two and sixty (60) months on Count Twenty-Nine, all to be served concurrently. Upon release from imprisonment, Respondent shall be placed on supervised release for a period of three (3) years. Respondent was further ordered to pay restitution in the amount of \$8,765,834.24.
- (6) Respondent, Stephen Young Kang, is the same person as the Stephen Young Kang who is the subject of the criminal case described above.
- (7) Respondent has appealed the criminal conviction.
- (8) Respondent was personally served with the Petition for Compulsory Discipline and hearing notice on June 24, 2016 as recited in a Proof of Service filed with the Board on July 14, 2016.
- (9) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) ("TRDP");
- (10) Respondent, Stephen Young Kang, having pled guilty to and been convicted of Wire Fraud and Tax Evasion, has been convicted of Intentional Crimes as defined by TRDP 1.06(T).
- (11) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(AA).
- (12) Having pled guilty to and convicted of Intentional and Serious Crimes and having appealed such conviction, Respondent, Stephen Young Kang, should have his license to practice law in Texas suspended during the appeal of his criminal conviction. TRDP 8.04.
- (13) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final. TRDP 8.05.

Disbarment

The Board has determined that respondent should be disbarred pursuant to TRDP 8.05. It is, therefore, **ORDERED, ADJUDGED, and DECREED** that Respondent, Stephen Young Kang, State Bar No. 24007465, be and he is hereby **DISBARRED** from the practice of law in the State of Texas, and his license to practice law in this state be and is hereby revoked.

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Stephen Young Kang, is hereafter permanently prohibited, effective immediately, from practicing law in Texas, holding himself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body, or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further **ORDERED** Respondent, Stephen Young Kang, shall immediately notify each of his current clients in writing of this disbarment. In addition to such notification, Respondent is **ORDERED** to return any files, papers, unearned monies and other property belonging to clients and former clients in the Respondent's possession to the respective clients or former clients or to another attorney at the client's or former client's request. Respondent is further **ORDERED** to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) within thirty (30) days of the signing of this judgment by the Board, an affidavit stating that all current clients have been notified of Respondent's disbarment and that all

files, papers, monies and other property belonging to all clients and former clients have been

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returned as ordered herein.

It is further **ORDERED** Respondent, Stephen Young Kang, shall, on or before thirty (30) days from the signing of this judgment by the Board, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing. Respondent is further **ORDERED** to file with the State Bar of Texas, Chief Disciplinary Counsel's Office, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) within thirty (30) days of the signing of this judgment by the Board, an affidavit stating that each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice has received written notice of the terms of this judgment.

It is further **ORDERED** that Respondent, Stephen Young Kang, if he has not already done so, immediately surrender his Texas law license and permanent State Bar Card to the Office of the Chief Disciplinary Counsel, Statewide Compliance Monitor, State Bar of Texas, P. O. Box 12487, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further **ORDERED** that a certified copy of the Petition for Compulsory Discipline on file herein along with a copy of this Final Judgment of Disbarment be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 1 day of August 2018.



CHAIR PRESIDING