



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

<b>IN THE MATTER OF</b>	§	
<b>STEPHEN YOUNG KANG</b>	§	<b>CAUSE NO. 57701</b>
<b>TEXAS BAR CARD NO. 24007465</b>	§	

**DEFAULT INTERLOCUTORY ORDER OF SUSPENSION**

On the 29th day of July 2016, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline of the State Bar of Texas appeared by attorney and announced ready. Respondent, Stephen Young Kang, Texas Bar Card No. 24007465, although duly cited to appear and having notice of the hearing, failed to answer or appear and wholly made default. All questions of fact as well as all issues of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, Stephen Young Kang, Texas Bar Card no. 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 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 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 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 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.

Conclusions of Law. Based upon the foregoing findings of facts the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) ("TRDP");
- (2) 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).
- (3) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(AA).
- (4) Having pled guilty to and been 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.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final. TRDP 8.05.

It is, accordingly, ORDERED, ADJUDGED, and DECREED that Respondent, Stephen Young Kang, Texas Bar Card No. 24007465, is hereby SUSPENDED from the practice of law in the State of Texas effective immediately upon entry of this order and continuing hereafter until further order of this Board.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Stephen Young Kang, during said suspension is hereby 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 not completed before the date of this order, appearing as counsel 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 that Respondent, Stephen Young Kang, shall notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Stephen Young Kang, has any legal matter pending, if any, of his suspension, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711. Respondent is further ORDERED to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating wither (a) that each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Stephen Young Kang, has any legal matter pending, if any, of his suspension, has been notified or (b) that Respondent has no legal matters pending in any court.

It is further ORDERED that Respondent, Stephen Young Kang, shall immediately notify each of his current clients, if any, in writing, of his suspension. In addition to such notification, Respondent is ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former clients with active cases pending, if any, to those respective clients or former clients with active cases pending within thirty (30) days after the date of this Order. Respondent is further ORDERED to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating either (a) that all current clients have been notified of his suspension

and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients with active cases pending have been returned as ordered herein or (b) that Respondent has no current clients, files, or papers, and that any unearned fees paid in advance or other monies or properties belonging to clients have previously been returned to the appropriate client. If Respondent is unable to return any file, papers, money or other property to any client or former client with active cases pending, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property. Respondent is also ORDERED to mail a copy of all notification letters to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Stephen Young Kang, immediately surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary, State Bar of Texas, P.O. Box 12487, Capitol Station, 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 Order, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that this Order is interlocutory and that the Board retains jurisdiction to enter a final judgment when the appeal of the criminal conviction is final. TRDP 8.05; *In the Matter of Mercier*, 242 SW 3d 46 (Tex. 2007).

It is further ORDERED that Respondent shall promptly notify the Board and the State Bar of Texas Chief Disciplinary Counsel when the appeal of the criminal conviction is final.

It is further ORDERED that the Chief Disciplinary Counsel of the State Bar of Texas shall monitor the status of the appeal of the criminal conviction on at least a quarterly basis and promptly file an appropriate motion for entry of final judgment with the Board if and when the appeal of the criminal conviction is final.

Signed this 1 day of August 2016.



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CHAIR PRESIDING