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APR 24 2019 *AC*

STATE BAR COURT
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PUBLIC MATTER

STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of)	Case No. 16-O-12134-YDR
)	
AKSANA VLADIMIROVNA BUIDA,)	(1) RECOMMENDATION TO
)	CANCEL LICENSE TO PRACTICE
)	LAW;
State Bar No. 303459.)	(2) ORDER OF INVOLUNTARY
)	INACTIVE ENROLLMENT; AND
)	(3) ORDER OF ABATEMENT
)	

Respondent Aksana Vladimirovna Buida was admitted to the practice of law in the State of California on June 2, 2015, and has been a licensed attorney of the State Bar since that date. On March 14, 2019, Respondent executed a Request that License to Practice Law in California Be Cancelled.

On March 15, 2019, Respondent, represented by attorney Jonathan I. Arons, and Deputy Trial Counsel Peter Klivans of the Office of Chief Trial Counsel of the State Bar of California (State Bar) signed a Stipulation in Support of Decertification and Cancellation of Respondent's License to Practice Law (stipulation).

Facts

The parties stipulated that the following facts support cancellation of Respondent's license to practice law in the State of California and the removal of her name from the State Bar of California's roll of attorneys:

On June 17, 2004, the United States Immigration Court (Immigration Court) granted asylum to Respondent, as well as to Respondent's husband who was listed as a derivative on Respondent's asylum application.

On August 26, 2010, the U.S. Department of Homeland Security, Immigration and Customs Enforcement Department moved to reopen Respondent's immigration proceedings to present previously unavailable evidence allegedly establishing that there was fraud in Respondent's asylum application.

On October 15, 2010, the Immigration Court reopened Respondent's immigration proceedings for the purpose of determining whether termination of Respondent's asylum status was appropriate in light of previously unavailable evidence.

From October 15, 2010, to the present, Respondent's immigration proceedings have remained pending before the Immigration Court.

Immigration proceedings are administrative proceedings.

On September 20, 2012, as part of her application for admission to the State Bar, Respondent submitted her Application for Moral Character Determination to the State Bar Office of Admissions. The application included the question, "Have you or a company of which you were the officer, director, or majority shareholder ever been a party to or are you presently a party to any civil action or administrative proceeding? This includes divorce, dissolution, small claims, worker's compensation, restraining order, etc." In response to that question, Respondent answered "yes" and provided several cases in which Respondent was a party. Respondent did not disclose that she was a party to her immigration proceedings.

On August 13, 2014, Respondent submitted her Update to Application for Determination of Moral Character. The update included the question, "Since submitting your Application for Determination of Moral Character: a. have you been a party to any civil or administrative

proceeding (including bankruptcy)?" In response to that question, Respondent answered "no." Respondent did not disclose that she was a party to her immigration proceedings.

Respondent's failure to disclose her immigration proceedings on her Application for Moral Character Determination deprived the Committee of Bar Examiners (CBE) of the opportunity to fully consider Respondent's moral character. In particular, the CBE was deprived of the opportunity to fully consider Respondent's immigration proceedings in which Respondent was alleged to have committed fraud.

Respondent was admitted to the State Bar on June 2, 2015.

Respondent should not have been admitted to the practice of law in California without the CBE having the opportunity to fully consider Respondent's moral character, including her immigration proceedings.

In an effort to resolve the matter described herein, Respondent executed the document entitled Request that License to Practice Law in California Be Cancelled, submitted to this Court simultaneously with the stipulation.

The parties further stipulated that the investigation of Respondent by the State Bar and all proceedings, pending as a result thereof, shall be abated pending the acceptance of this stipulation by the State Bar Court, and the Supreme Court's action upon any recommendation by the Court that Respondent's license to practice law be cancelled.

Conclusions

The court finds that Respondent's failure to disclose her immigration proceedings on her Application for Moral Character Determination deprived the CBE of the opportunity to fully consider Respondent's moral character. In particular, the CBE was deprived of the opportunity to fully consider Respondent's immigration proceedings in which Respondent was alleged to

have committed fraud. Thus, Respondent should not have been admitted to the practice of law in California without the CBE having the opportunity to fully consider her moral character.

RECOMMENDATIONS

Therefore, it is hereby recommended that Respondent Aksana Vladimirovna Buida's license to practice law in the State of California be cancelled and her name stricken from the roll of attorneys.

It is further recommended that Respondent be ordered to comply with the requirements of rule 9.20 of the California Rules of Court, 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 order in this matter.

ORDER

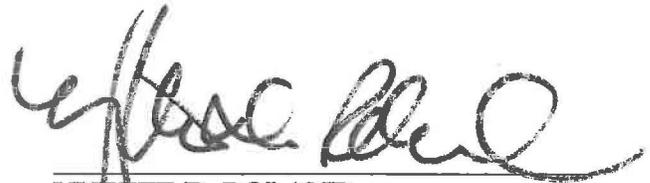
The court hereby **ORDERS** as follows:

1. Respondent's Request that License to Practice Law in California Be Cancelled and the Stipulation in Support of Decertification and Cancellation of Respondent's License to Practice Law be immediately transmitted to the California Supreme Court along with this recommendation.
2. Respondent be enrolled as an inactive licensed attorney of the State Bar of California immediately upon service of this order and her inactive enrollment will terminate upon the effective date of the Supreme Court's order accepting Respondent's request to cancel her license to practice law or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.
3. The investigation of Respondent by the State Bar and all proceedings pending as a result thereof shall be abated pending the Supreme Court's order in this matter.

4. If Respondent later seeks admission to the State Bar of California, the State Bar will consider in connection therewith all the disciplinary matters and proceedings currently pending against Respondent, in addition to other appropriate matters.

IT IS SO ORDERED.

Dated: April 22, 2019



YVETTE D. ROLAND
Judge of the State Bar Court

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 April 24, 2019, I deposited a true copy of the following document(s):

- (1) RECOMMENDATION TO CANCEL LICENSE TO PRACTICE LAW; (2) ORDER OF INVOLUNTARY INACTIVE ENROLLMENT; AND (3) ORDER OF ABATEMENT

in a sealed envelope for collection and mailing on that date as follows:

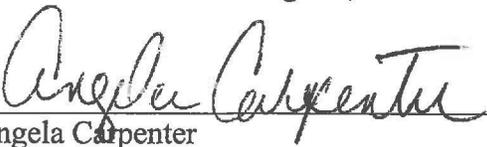
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

JONATHAN IRWIN ARONS
LAW OFC JONATHAN I ARONS
100 BUSH ST STE 918
SAN FRANCISCO, CA 94104-3950

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

PETER ALLEN KLIVANS, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on April 24, 2019.



Angela Carpenter
Court Specialist
State Bar Court