

Falls Church, Virginia 22041

File: D2009-223

Date: DEC 6 - 2011

In re: KEHINDE OLUWARANTI JOBI, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF EOIR: Jennifer J. Barnes, Disciplinary Counsel

ON BEHALF OF DHS: Diane H. Kier
Associate Legal Advisor

The respondent will be indefinitely suspended from practice before the Board, Immigration Courts, and Department of Homeland Security (the "DHS").

On October 23, 2008, the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, suspended the respondent until further order of the court. On July 14, 2009, the United States District Court for the Eastern District of New York also suspended the respondent until further order of the court. Consequently, on October 9, 2009, the Disciplinary Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. The DHS then asked that the respondent be similarly suspended from practice before that agency.

Therefore, on November 4, 2009, the Board suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

On March 8, 2010, the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, disbarred the respondent, after accepting her resignation while a disciplinary investigation was pending.

The respondent was required to file a timely answer to the allegations contained in the Notice of Intent to Discipline but has failed to do so. *See* 8 C.F.R. § 1003.105(c)(1). The respondent's failure to file a response within the time period prescribed in the Notice constitutes an admission of the allegations therein, and the respondent is now precluded from requesting a hearing on the matter. 8 C.F.R. § 1003.105(d)(1), (2).

The Notice proposes that the respondent be indefinitely suspended from practicing before the Board and the Immigration Courts. Because the respondent has failed to file an answer, the regulations direct the Board to adopt the proposed sanction contained in the Notice, unless there are considerations that compel us to digress from that proposal. 8 C.F.R. § 1003.105(d)(2).

The proposed sanction is appropriate in light of the respondent's resignation from the bar in New York while disciplinary charges were pending and as "it is unknown if/when the respondent may be readmitted to the bar of that court." See 8 C.F.R. § 1003.102(e)(1); Notice of Intent to Discipline at 2.

As the respondent is currently under our November 4, 2009, order of suspension, we will deem the respondent's suspension to have commenced on that date.

ORDER: The Board hereby indefinitely suspends the respondent from practice before the Board, the Immigration Courts, and the DHS.

FURTHER ORDER: The respondent is instructed to maintain compliance with the directives set forth in our prior order. The respondent is also instructed to notify the Board of any further disciplinary action against her.

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, Immigration Courts, and DHS under 8 C.F.R. § 1003.107.

FURTHER ORDER: As the Board earlier imposed an immediate suspension order in this case, today's order of the Board becomes effective immediately. See 8 C.F.R. § 1003.105(d)(2)(2010); *Matter of Kronegold*, 25 I&N Dec. 157, 163 (BIA 2010).



FOR THE BOARD