

NOT FOR PUBLICATION

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

MATTER OF:

Raymond P. RAMPERSAD, D2024-0055

Respondent

FILED

OCT 22 2024

ON BEHALF OF RESPONDENT: Pro se

ON BEHALF OF EOIR: Paul A. Rodrigues, Disciplinary Counsel

ON BEHALF OF DHS: Toinette M. Mitchell, Disciplinary Counsel

IN PRACTITIONER DISCIPLINARY PROCEEDINGS
Notice of Intent to Discipline Before the Board of Immigration Appeals

Before: Clark, Appellate Immigration Judge; Creppy, Appellate Immigration Judge; Liebowitz,
Appellate Immigration Judge

Opinion by Creppy, Appellate Immigration Judge

CREPPY, Appellate Immigration Judge

The respondent will be disbarred before the Board of Immigration Appeals ("Board"), the Immigration Courts, and the Department of Homeland Security ("DHS"), effective April 9, 2024.

On February 20, 2024, in criminal proceedings before the United States District Court for the Middle District of Georgia, Columbus Division, the respondent pleaded guilty to two counts of False Documents, in violation of 18 U.S.C. § 1001(a)(3). On March 8, 2024, the Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") and the Disciplinary Counsel for DHS jointly petitioned for the respondent's immediate suspension from practice before the Board, the Immigration Courts, and DHS. We found the respondent's conviction to qualify as a serious crime as defined in 8 C.F.R. § 1003.102(h) and granted the Joint Petition for Immediate Suspension on April 9, 2024.

On August 27, 2024, the Disciplinary Counsels for EOIR and DHS filed a Joint Notice of Intent to Discipline the respondent, in which they lodged the following five factual allegations:

1. Respondent was admitted to the practice of law in the State of Nebraska on October 3, 1995.
2. On February 20, 2024, in the United States District Court for the Middle District of Georgia Columbus Division, Respondent pleaded guilty to two counts of False Documents, in violation of Title 18 U.S.C. § 1001(a)(3). See Attachment to Petition for Immediate Suspension.

3. On March 6, 2024, the DHS and EOIR Disciplinary Counsel filed a Petition for Immediate Suspension based on Respondent's conviction. On April 9, 2024, the Board of Immigration Appeals (Board) granted the petition and immediately suspended Respondent from practice before DHS and EOIR. Respondent remains suspended under the Board's immediate suspension order.
4. On July 17, 2024, in the United States District Court for the Middle District of Georgia Columbus Division, Respondent was sentenced to eighteen months imprisonment, with three years supervised release. See Attachment 1.
5. To date, Respondent has not notified DHS or EOIR Disciplinary Counsel of this conviction as required by 8 C.F.R. §§ 292.3(c)(4) and 1003.103(c).

The Disciplinary Counsels allege that the respondent is subject to summary discipline because he has been convicted of a serious crime as defined at 8 C.F.R. § 1003.102(h).

The respondent filed a timely answer to the Joint Notice of Intent to Discipline in which he admitted allegations 1-4. The respondent did not specifically admit or deny allegation 5, but rather stated that he "was not aware that he had to notify DHS or EOIR Disciplinary Counsel of is [sic] conviction under 8 C.F.R. §§292.3(c)(4) and 1003.103(c)." Because the respondent did not deny allegation 5, it is deemed to be admitted. 8 C.F.R. § 1003.105(c)(2).

In his answer, under the heading "Defenses," the respondent states that: (1) pursuant to his plea agreement, he notified the Nebraska disciplinary counsel of his conviction and of his intent to voluntarily surrender his license to practice law; (2) the Nebraska Supreme Court entered an order disbarring the respondent; (3) with his answer he was providing notice of his conviction and disbarment to DHS and EOIR Disciplinary Counsel; and (4) he would be surrendering to the federal Bureau of Prisons on September 10, 2024. Appended to the answer were the respondent's June 27, 2024, affidavit requesting the voluntary surrender of his license in Nebraska and the Nebraska Supreme Court's August 30, 2024, judgment of disbarment. In his answer, the respondent did not request a hearing on this matter, and so the opportunity for a hearing is deemed waived. 8 C.F.R. § 1003.105(c)(3). Because the respondent has admitted all relevant facts and has not made a prima facie showing that there is a material issue of fact in dispute, we retain jurisdiction over this matter and will issue a final order. 8 C.F.R. § 1003.106(a)(1).

In the Joint Notice of Intent to Discipline, the Disciplinary Counsels propose that the respondent be disbarred from practice before the Board, the Immigration Courts, and DHS, effective as of the date of the Board's immediate suspension order. We find this proposed sanction to be appropriate in light of the respondent's conviction for a serious crime—a felony involving immigration fraud. Accordingly, we will order the respondent disbarred from practice before the Board, the Immigration Courts, and DHS, effective April 9, 2024.

ORDER: The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and DHS, effective April 9, 2024.

FURTHER ORDER: The respondent must maintain compliance with the directives set forth in our April 9, 2024, immediate suspension order. The respondent must notify the Board of any further disciplinary action against him.

FURTHER ORDER: The contents of the order shall be made available to the public, including at the Immigration Courts and appropriate offices of DHS.

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