NOT FOR PUBLICATION

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

MATTER OF:

John Ernest RICCI, D2025-0059

Respondent

FILED
JUN 06 2025

ON BEHALF OF EOIR: Catherine M. O'Connell, Disciplinary Counsel

ON BEHALF OF DHS: Amy S. Paulick, Disciplinary Counsel

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

Before: Malphrus, Chief Appellate Immigration Judge; Creppy, Appellate Immigration Judge; Mullane, Appellate Immigration Judge

Opinion by Creppy, Appellate Immigration Judge

CREPPY, Appellate Immigration Judge

The respondent will be suspended from the practice of law before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security ("DHS") for 2 years, effective May 1, 2025.

On March 19, 2025, the Supreme Court of California suspended the respondent from the practice of law in California for 3 years. The court stayed the execution of that period of suspension and placed the respondent on probation for 3 years subject to specific conditions including suspension from the practice of law in California for a minimum of the first 2 years of probation. On April 14, 2025, the Disciplinary Counsel for the Executive Office for Immigration Review and the Disciplinary Counsel for DHS jointly petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. We granted the petition on May 1, 2025.

The respondent was required to file a timely answer to the allegations contained in the Joint Notice of Intent to Discipline but has failed to do so. *See* 8 C.F.R. § 1003.105. The respondent's failure to file a response within the time prescribed in the Joint Notice of Intent to Discipline 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).

The Joint Notice of Intent to Discipline proposes that the respondent be suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS for 2 years. Because the respondent has failed to file an answer, the regulations direct us to adopt the proposed sanction contained in the Joint Notice of Intent to Discipline unless there are considerations that compel us to diverge from that proposal. 8 C.F.R. § 1003.105(d)(2).

The proposed sanction is appropriate considering the respondent's suspension in California. We therefore will honor the proposed discipline and will order the respondent suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS for 2 years. The respondent's suspension will be effective as of May 1, 2025, the date we issued an immediate suspension order in the respondent's case.

ORDER: The Board hereby suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, for 2 years, effective May 1, 2025.

FURTHER ORDER: The respondent must maintain compliance with the directives set forth in our prior 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.