

NOT FOR PUBLICATION

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

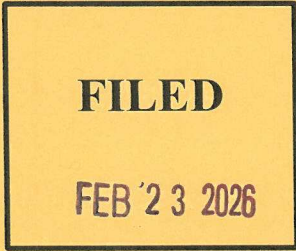
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MATTER OF:

Workneh CHURNET, D2025-0311

Respondent

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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 Mullane, Appellate Immigration Judge

MULLANE, Appellate Immigration Judge

The respondent will be suspended from the practice of law before the Board of Immigration Appeals, the Immigration Court, and the Department of Homeland Security ("DHS") for a period of 30 days, effective December 3, 2025.

On August 21, 2025, the District of Columbia Court of Appeals suspended the respondent from the practice of law in the District of Columbia for 90 days with all but 30 days stayed in favor of one year of supervised probation. On November 17, 2025, the Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") and the Disciplinary Counsel for the Department of Homeland Security ("DHS") filed a Joint Notice of Intent to Discipline ("NID"), as well as a Joint Petition for Immediate Suspension, based upon the respondent's suspension in the District of Columbia.<sup>1</sup> We granted the Joint Petition for Immediate Suspension on December 3, 2025.

On January 2, 2026, the respondent filed an "Answer and Defenses to Joint Petition for Immediate Suspension,"<sup>2</sup> with an accompanying "Motion to Accept Late-Filed Answer." On

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<sup>1</sup> For the sake of clarification, we note that the NID, consistent with the decision from the District of Columbia Court of Appeals, spelled the respondent's last name as "Churnet." The subsequent filings from the respondent and Disciplinary Counsels, however, reflect the respondent's last name as "Chernut."

<sup>2</sup> The respondent in his filing repeatedly refers to a "petition." We regard the respondent's filing as an answer to the NID by its content and context.

January 14, 2026, Disciplinary Counsels for EOIR and DHS filed a “Motion for Summary Adjudication.”

The respondent was required to file a timely answer to the allegations contained in the NID but has failed to do so. *See* 8 C.F.R. § 1003.105(c). The respondent’s failure to file a response within the time prescribed in the NID constitutes an admission of the allegations therein, and no further evidence with respect to such allegations need be adduced. 8 C.F.R. § 1003.105(d)(1). The respondent is also precluded from requesting a hearing on the matter. 8 C.F.R. § 1003.105(d)(2).

The NID proposes that the respondent be suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, for a period of 30 days, effective as of the date of the Board’s immediate suspension order. Because the respondent has failed to file a timely answer to the NID, the regulations direct us to adopt the proposed sanction contained in the NID unless there are particular facts and circumstances that compel us to diverge from that proposal. 8 C.F.R. § 1003.105(d)(2).

The proposed sanction is appropriate in light of the respondent’s suspension in the District of Columbia. 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. Further, because the respondent did not comply with the requirements of 8 C.F.R. §§ 292.3(c)(4) and 1003.103(c) to timely notify Disciplinary Counsels for EOIR and DHS of his order of suspension issued by the District of Columbia Court of Appeals, we will deem his suspension to have commenced on December 3, 2025, the date of our immediate suspension order.

To the extent that the respondent’s untimely filings can be construed as a motion to set aside the order of discipline pursuant to the default provisions of the regulations, this motion is unavailing. *See* 8 C.F.R. § 1003.105(d)(2)(ii). The respondent’s uncorroborated and vague assertions describing his late receipt of the “Petition” from a “resident” do not persuade us that his failure to file a timely answer to the NID was due to “exceptional circumstances (such as serious illness of the practitioner or death of an immediate relative of the practitioner, but not including less compelling circumstances)” beyond his control,<sup>3</sup> such that would permit us to entertain such a motion (Respondent’s Mot. at 2). 8 C.F.R. § 1003.105(d)(2)(ii).

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<sup>3</sup> Although the respondent invokes the “good cause” standard for his failure to file a timely answer to the NID, this lower standard applies to a request for an extension for time to file an answer, which must be filed 3 working days *before* the time to file the answer has expired. 8 C.F.R. § 1003.105(c)(1). The respondent’s submissions were filed with the Board on January 2, 2026, well *after* the December 17, 2025, deadline to file the answer to the NID.

Additionally, the respondent’s vague assertions would not satisfy even the lower “good cause” standard. The respondent claimed, *inter alia*, that on or about the December 17, 2025, deadline for filing the answer to the NID, a “resident,” for reasons unrevealed, picked up the “Petition” from the “main entrance door where the mail carrier left it” and gave it to him, through means and for  
(continued...)

We are cognizant that at this time, the 30-day period of suspension has expired. Accordingly, the respondent may petition for reinstatement to practice before the Board, the Immigration Courts, and DHS pursuant to the procedures in 8 C.F.R. § 1003.107. The following orders will be entered.

ORDER: The Board hereby suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, for a period of 30 days, effective December 3, 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.

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motivations unknown, 2 weeks later, on December 30, 2025 (Respondent's Mot. at 2). However, the Certificate of Service for the NID at issue averred that the NID was sent by certified mail to the respondent's address of record on November 17, 2025. There is no explanation that can be discerned from the respondent's motion for the approximately 30-day gap in time between the date stated on the Certificate of Service to when the resident purportedly picked up the "Petition." In light of this ambiguity and lack of clarity, we are unpersuaded by the respondent's assurances that the delay in the filing of his response to the NID "was neither willful nor the result of neglect but arose from circumstances beyond [his] control" (Respondent's Mot. at 2).