

NOT FOR PUBLICATION

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

MATTER OF:

Kevin Patrick DOUGHERTY, D2025-0029

Respondent

FILED

MAR 19 2026

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 practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security ("DHS"), for 1 year and 1 day, effective December 17, 2025.

On March 5, 2025, the Virginia State Bar Disciplinary Board issued an interim order suspending the respondent from the practice of law in Virginia indefinitely, effective March 5, 2025. On March 13, 2025, 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 of Immigration Appeals, the Immigration Courts, and DHS. We granted this petition on March 31, 2025.

On December 19, 2025, the Virginia State Bar Disciplinary Board issued an Agreed Disposition Memorandum Order, suspending the respondent from the practice of law in Virginia for 1 year and 1 day, effective December 17, 2025. On January 14, 2026, the Disciplinary Counsel for EOIR and the Disciplinary Counsel for DHS filed a Joint Notice of Intent to Discipline ("NID"), charging that the respondent is subject to summary discipline based upon his suspension. 8 C.F.R. §§ 1003.102(e), 1003.103(b), 1003.106(a).

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. The respondent's failure to file a response within the time prescribed in the NID 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 NID proposes that the respondent be suspended from practice before the Board, the Immigration Courts, and DHS for 1 year and 1 day. Because the respondent has failed to file an answer, the regulations direct us to adopt the proposed sanction contained in the NID 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 from the practice of law in Virginia. We 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 1 year and 1 day, effective December 17, 2025, the effective date of the respondent's suspension in Virginia. *See* 8 C.F.R. § 1003.105(d)(2).

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS, for 1 year and 1 day, effective December 17, 2025. *See* 8 C.F.R. § 1003.105(d)(2).

FURTHER ORDER: The respondent shall promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the DHS that the respondent has been suspended from practicing before these bodies.

FURTHER ORDER: The respondent shall maintain records to evidence compliance with this order.

FURTHER ORDER: The respondent is instructed to 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 the DHS.

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