

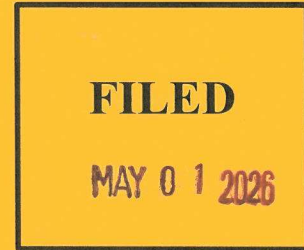
NOT FOR PUBLICATION

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

MATTER OF:

Gilberto M. GARCIA, D2026-0061

Respondent



ON BEHALF OF EOIR: Alexander Spindler, Acting 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 6 months, effective as of the date of this order.

On September 3, 2025, the New Jersey State Bar Disciplinary Board issued an order suspending the respondent from the practice of law in New Jersey for a period of 6 months, effective October 10, 2025. On February 20, 2026, the Disciplinary Counsel for the Executive Office for Immigration Review (“EOIR”) and the Disciplinary Counsel for 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 New Jersey. We granted the Joint Petition for Immediate Suspension on March 13, 2026.

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 6 months. 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 New Jersey. We will honor the proposed discipline and will order the respondent

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suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, for 6 months. *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 6 months, effective as of the date of this order. *See* 8 C.F.R. § 1003.105(d)(2).

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

FURTHER 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.