

NOT FOR PUBLICATION

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

MATTER OF:

Vishal Kamal CHHABRIA, D2023-0160

Respondent

FILED

AUG 25 2026

ON BEHALF OF RESPONDENT: Salma A. Attia, Esquire

ON BEHALF OF EOIR: Nathan Henriksen, 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: Creppy, Appellate Immigration Judge; Mullane, Appellate Immigration Judge; White,
Temporary Appellate Immigration Judge¹**

Opinion by Mullane, Appellate Immigration Judge

MULLANE, Appellate Immigration Judge

The respondent will be disbarred from practice before the Board of Immigration Appeals ("Board"), the Immigration Courts, and the Department of Homeland Security ("DHS").

On September 23, 2022, the U.S. District Court for the Western District of New York, accepted the respondent's guilty plea to conspiracy to commit marriage fraud in violation of 8 U.S.C. § 1325(c) and 18 U.S.C. § 371. The respondent's plea resulted in his conviction. On January 24, 2024, the Disciplinary Counsel for the Executive Office for Immigration Review and the Disciplinary Counsel for the Department of Homeland Security ("DHS") jointly petitioned for the respondent's immediate suspension from practice before the Board, the Immigration Courts, and DHS, alleging that his offence constitutes a serious crime as defined in 8 C.F.R. § 1003.102(h). We granted the Joint Petition for Immediate Suspension on February 22, 2024. *See* 8 C.F.R. §§ 1003.103(a)(1) and (4) (discussing grounds for immediate suspension).

On June 23, 2026, the Disciplinary Counsels filed a joint Notice of Intent to Discipline ("NID") charging the respondent as having been convicted of a serious crime and subject to summary discipline. The Disciplinary Counsels propose disbarment from the Board, the Immigration Courts, and DHS based on a judgment entered in the respondent's criminal case on

¹ Temporary Appellate Immigration Judges sit pursuant to appointment by the Attorney General. *See* 8 C.F.R. § 1003.1(a)(4).

January 8, 2025, for conspiracy to commit marriage fraud against the United States in violation of 8 U.S.C. § 1325(c) and 18 U.S.C. § 371.

The respondent filed an answer to the NID on July 17, 2026. In the answer, the respondent requests a hearing (Respondent's Answer at 3). The respondent also admits all of the factual allegations in the NID and does not contest the disciplinary charge (Respondent's Answer at 3-4). The respondent, however, contends that the circumstances in his case weigh against a sanction of disbarment (Respondent's Answer at 6-14). The respondent argues that the Board should reciprocate the Illinois State Bar sanction consisting of a 3 year suspension, with the suspension stayed after 2 years by a year of probation (Respondent's Answer at 9-10, Exh. B). The respondent also claims his mental health condition and use of alcohol, for which he now receives treatment, weigh against a sanction of disbarment (Respondent's Answer at 12). The respondent further argues that his compliance with the disciplinary process, past public interest work, adherence to the Board's immediate suspension, and the absence of any additional misconduct are mitigating factors that warrant a lesser sanction (Respondent's Answer at 11-14).

We will deny the respondent's request for a hearing (Respondent's Answer at 3). The respondent has not made a prima facie showing that there is a material issue of fact in dispute regarding the basis for summary disciplinary proceedings. *See* 8 C.F.R. §1003.106(a). The respondent does not dispute the fact that he was convicted or that his offense constitutes a serious crime, which is sufficient to establish that disciplinary proceedings are appropriate (Respondent's Answer at 3-4). *See* 8 C.F.R. § 1003.103(b) and 8 C.F.R. § 292.c(c)(3). We will therefore proceed in summary disciplinary proceedings.

Under the circumstances of this case, we agree with the Disciplinary Counsels that disbarment is the appropriate sanction. We recognize the respondent's arguments concerning the lesser sanctions imposed by the Illinois State Bar, but the regulations permit us to impose disbarment in attorney disciplinary proceedings where it is in the public interest (Respondent's Answer at 8-11). *See* 8 C.F.R. § 103.101(a)(1) (providing that the Board has the authority to impose disbarment as a disciplinary sanction if it is in the public interest to do so); *see also Matter of Gupta*, 28 I&N Dec. 653, 657 (BIA 2022) (recognizing that it is in the interest of justice to independently evaluate the propriety of any recommended sanction, including disbarment).

As the respondent concedes, his case involves an immigration related serious crime. 8 C.F.R. § 1003.102(h). The respondent attributes his misconduct to his mental health condition and alcohol abuse, yet provides no evidence to demonstrate their connection such that these factors could be deemed mitigating (Respondent's Answer at 12). While we are sympathetic to the difficulties the respondent has faced and that he cooperated with the disciplinary process with no additional incidents of misconduct, these facts are insufficient to establish a lesser sanction is appropriate given the respondent's repeated acts of serious misconduct. Notably, the respondent's offense involved the submission of false information and fraudulent documents to the United States government to assist couples in sham marriages to evade immigration laws from approximately 2018 until 2022 (NID at Exh. 2). "[I]mmigration-related fraud strikes at the heart of the country's immigration laws and undermines the integrity of the entire system." *Matter of Krivonos*, 24 I&N Dec. 292, 293 (BIA 2007). Disbarment as a disciplinary sanction is therefore

in the public interest to safeguard against further harm to the country's immigration system by the respondent. 8 C.F.R. § 103.101(a)(1); *See Matter of Gupta*, 28 I&N Dec. at 657 (finding that disbarment, rather than a lesser sanction, was appropriate where the attorney engaged in serious violations that undermined the integrity of the legal system).

In light of the foregoing, the respondent will be ordered disbarred from practice before the Board, the Immigration Courts, and DHS. As the respondent is currently suspended under our February 22, 2024, order of suspension, we will deem his disbarment to have commenced on that date.

ORDER: The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and DHS, effective February 22, 2024.

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.