

Matter of Ashley Briana CUBER, Respondent

Decided September 18, 2026

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

In the absence of a timely answer to the Notice of Intent to Discipline, the Board generally does not diverge from the sanction recommended in a Notice of Intent to Discipline that is based on reciprocal discipline.

FOR THE RESPONDENT: Pro se

FOR THE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, OFFICE OF
GENERAL COUNSEL: Nathan S. Henriksen, Disciplinary Counsel

FOR THE DEPARTMENT OF HOMELAND SECURITY: Catherine M. O’Connell,
Disciplinary Counsel

BEFORE: Board Panel: MALPHRUS, Chief Appellate Immigration Judge; MULLANE
and CREPPY, Appellate Immigration Judges.

MULLANE, Appellate Immigration Judge:

The Disciplinary Counsels for the Executive Office for Immigration Review and the Department of Homeland Security (“DHS”) have filed a Joint Notice of Intent to Discipline requesting that the respondent be suspended from the practice of law before the Board of Immigration Appeals (“Board”), the Immigration Courts, and DHS for 1 year. We will enter an order of suspension.

On June 26, 2025, the Supreme Court of Washington granted the Washington State Bar Association’s petition for interim suspension and suspended the respondent from the practice of law in Washington, effective immediately. On July 15, 2025, the Disciplinary Counsel for the Executive Office for Immigration Review and the Disciplinary Counsel for DHS filed a Joint Petition for Immediate Suspension based upon the respondent’s interim suspension in Washington. *See* 8 C.F.R. § 1003.103(a)(1), (2) (2026). We granted the petition on July 25, 2025. *See* 8 C.F.R. § 1003.103(a)(4) (2026) (discussing grounds for immediate suspension).

The Disciplinary Counsels also filed a Joint Notice of Intent to Discipline, charging that the respondent is subject to summary discipline based on the interim suspension order entered against her in Washington. On

June 9, 2026, the Disciplinary Counsels filed an Amended Joint Notice of Intent to Discipline, acknowledging that the prior Joint Notice of Intent to Discipline was prematurely filed, as the Washington suspension order was not a final order at that time. The Amended Joint Notice of Intent to Discipline, which supersedes the initial one, alleges that on May 7, 2026, the Supreme Court of Washington issued a final order suspending the respondent from the practice of law in Washington for a period of 1 year, effective 7 days from the date of the order. A certified copy of the final order was submitted with the Amended Joint Notice of Intent to Discipline. The Amended Joint Notice of Intent to Discipline charges that, because the respondent is subject to a final order of suspension, she is now subject to summary discipline. 8 C.F.R. §§ 1003.103(b), 1003.106(a) (2026).

The respondent was required to file a timely answer to the allegations contained in the Amended Joint Notice of Intent to Discipline but has failed to do so. 8 C.F.R. § 1003.105(c)(1) (2026). The respondent's failure to file a response within the time prescribed 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), (2) (2026); *accord Matter of K. Gupta*, 28 I&N Dec. 653, 655 (BIA 2022).

The Amended Joint Notice of Intent to Discipline proposes that the respondent be suspended from practice before the Board, the Immigration Courts, and DHS for 1 year. Because the respondent has failed to file an answer, the regulations direct us to adopt the proposed sanction unless there are considerations that compel us to diverge from that proposal. 8 C.F.R. § 1003.105(d)(2) (noting that considerations include the need to prevent "inconsistent dispositions for comparable conduct" or sanctions that "would otherwise be unwarranted or not in the interests of justice"); *accord Matter of K. Gupta*, 28 I&N Dec. at 655–56.

The proposed sanction is appropriate in light of the respondent's suspension from the practice of law in Washington. While we can independently evaluate the propriety of any recommended sanction, in the absence of a timely answer to the Notice of Intent to Discipline, the Board generally does not diverge from the sanction recommended in a Notice of Intent to Discipline that is based on reciprocal discipline. *See generally Matter of Kronegold*, 25 I&N Dec. 157, 161 (BIA 2010) (discussing the Board's deferential approach to reciprocal discipline). We will honor the proposed discipline and will order the respondent suspended from practice before the Board, the Immigration Courts, and DHS for 1 year. The respondent's suspension will be effective as of July 25, 2025, the date of our immediate suspension order. *See* 8 C.F.R. § 1003.103(a)(4) (providing that

time spent under immediate suspension “may be credited toward the period of suspension imposed under the final administrative decision”).

ORDER: The Board hereby suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, for 1 year, effective July 25, 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 her.

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 of Immigration Appeals, the Immigration Courts, and DHS under 8 C.F.R. § 1003.107 (2026).