

Falls Church, Virginia 22041

File: D2017-0405

Date: JAN 22 2018

In re: Lauro Nick PACHECO, Jr., Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF EOIR: Jennifer J. Barnes
Disciplinary Counsel

ON BEHALF OF DHS: Catherine M. O'Connell
Disciplinary Counsel

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

According to an October 20, 2017, California State Bar record, the respondent has been suspended from the practice of law in California by the Supreme Court of California, for non-payment of State Bar membership fees, and was enrolled as an inactive member of the California State Bar. There is no indication that the respondent is an active member in any other state bar. The Disciplinary Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board and the Immigration Courts on November 2, 2017, and stated that the respondent remains suspended from the practice of law in California, as of the date of its filing.

The DHS Disciplinary Counsel asked that the respondent be similarly suspended from practice before that agency. We granted the petition on November 22, 2017.

The respondent was required to file a timely answer to the allegations contained in the Notice of Intent to Discipline but has failed to do so. 8 C.F.R. § 1003.105. The respondent's failure to file a response within the time period prescribed in the Notice of Intent to Discipline 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 Notice of Intent to Discipline proposes that the respondent be indefinitely suspended from practicing before the Board and the Immigration Courts. The DHS asks the Board to extend that discipline to practice before that agency as well. Because the respondent has failed to file an answer, the regulations direct the Board to adopt the proposed sanction contained in the Notice of Intent to Discipline, unless there are considerations that compel us to digress from that proposal. 8 C.F.R. § 1003.105(d)(2).

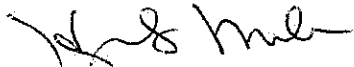
The proposed sanction is appropriate, in light of the discipline imposed against the respondent in California. Further, as the respondent is currently under our November 22, 2017, order of suspension, we will deem his suspension to have commenced on that date.

ORDER: The Board hereby indefinitely suspends the respondent from practice before the Board, the Immigration Courts, and the DHS. The suspension is deemed to have commenced on November 22, 2017.

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 the DHS.

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

A handwritten signature in black ink, appearing to read "John S. Miller", is written above a horizontal line.

FOR THE BOARD