

Falls Church, Virginia 22041

File: D2017-0433

Date: FEB 14 2018

In re: Joel PAUL, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

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

ON BEHALF OF EOIR: Jennifer J. Barnes
Disciplinary Counsel

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 November 30, 2017, the respondent was convicted, on the basis of a guilty plea, of a serious crime within the meaning of 8 C.F.R. § 1003.102(h). That is, he was convicted in the United States District Court for the Southern District of Indiana, Indianapolis Division, of violating 18 U.S.C. §§ 1341, 1546(a), and 1028A (mail fraud, immigration document fraud, and aggravated identity theft).

The Disciplinary Counsel for the DHS petitioned for the respondent's immediate suspension from practice before that agency on December 18, 2017. The Disciplinary Counsel for the Executive Office for Immigration Review then asked that the respondent be similarly suspended from practice before the Board and the Immigration Courts. We granted the petition on January 16, 2018.

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 disbarred from practicing before the DHS. *See* 8 C.F.R. §1003.102(h) (attorney who has pled guilty to a serious crime subject to discipline). The Disciplinary Counsel for EOIR asks the Board to extend that discipline to practice before the Board and the Immigration Courts as well.

As 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 fact that on November 30, 2017, the respondent was convicted, on the basis of a guilty plea, of a serious crime within the meaning of 8 C.F.R. § 1003.102(h). Further, as the respondent is currently under our January 16, 2018, 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 the DHS. The disbarment is deemed to have commenced on January 16, 2018.

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 this Board for reinstatement to practice before the Board, the Immigration Courts, and the DHS under 8 C.F.R. § 1003.107.



FOR THE BOARD