

Falls Church, Virginia 22041

File: D2018-0243

Date: **OCT 22 2018**

In re: Sean YOUNG, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF EOIR: Paul A. Rodrigues
Acting Disciplinary Counsel

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

The respondent will be suspended from practice before the Board of Immigration Appeals ("Board"), the Immigration Courts, and the Department of Homeland Security ("DHS"), for 3 years.

We indefinitely suspended the respondent from practice before the Immigration Courts, Board, and DHS, in Case No. D2017-0404, on December 29, 2017. This was based on the respondent's suspension from the practice of law in Utah. The suspension before the Immigration Courts, Board, and DHS remains in effect, as the respondent has not been reinstated to practice by the Board.

On August 6, 2018, the Third Judicial District Court for Salt Lake County, Utah, suspended the respondent for 3 years, effective 30 days from the date of the order, for disciplinary violations. The court had reviewed an "Affidavit of Consent" and "Discipline by Consent and Settlement Agreement."

The Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") filed a Notice of Intent to Discipline on September 5, 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. *See* 8 C.F.R. § 1003.105.

The respondent's failure to file a response within the time period prescribed in the Notice 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 proposes that the respondent be suspended for 3 years from practicing before the Board and the Immigration Courts. *See* 8 C.F.R. § 1003.102(e) (attorney who is subject to a final order of suspension subject to discipline by the Board). 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, absent other circumstances. 8 C.F.R. § 1003.105(d)(2). The proposed sanction is appropriate, given that the respondent has been suspended in Utah. Accordingly, the Board will honor that proposal.

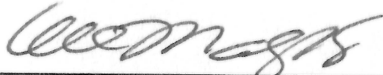
ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS for 3 years, effective immediately.

FURTHER ORDER: The respondent is instructed to maintain compliance with the directives set forth in our December 29, 2017, suspension order in Case No. D2017-0404.

FURTHER ORDER: The respondent is instructed to notify the Board of any further disciplinary action against him.

FURTHER ORDER: The Board directs that the contents of this notice be made available to the public, including at Immigration Courts and appropriate offices of the DHS.

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



FOR THE BOARD