File: D2017-0401 Date: NOV 14 2018

In re: Francisco MALDONADO a.k.a. Francisco Medina Maldonado, 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 disbarred from practice before the Board of Immigration Appeals ("Board"), the Immigration Courts, and the Department of Homeland Security ("DHS").

On August 24, 2018, the Supreme Court of Texas accepted the respondent's resignation from the practice of law, in lieu of discipline, and stated that the respondent is prohibited from practicing law in Texas.

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 September 26, 2018, and stated that the respondent remained suspended from the practice of law in Texas, as of the date of its filing. The Disciplinary Counsel for the DHS asked that the respondent be similarly suspended from practice before that agency. We granted the petition on October 19, 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 Board and the Immigration Courts. *See* 8 C.F.R. § 1003.102(e) (attorney who has resigned while a disciplinary proceeding is pending is subject to discipline). The DHS Disciplinary Counsel 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, in light of the fact that the Supreme Court of Texas accepted the respondent's resignation from the practice of law, in lieu of discipline. Further, as the respondent is currently under our October 19, 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 October 19, 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