

Falls Church, Virginia 22041

File: D2018-0323

Date: MAR 06 2019

In re: Ismail MOHAMMED, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF EOIR: Paul A. Rodrigues
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 4 months.

On October 5, 2018, the Supreme Judicial Court for Suffolk County, Massachusetts, suspended the respondent from the practice of law in Massachusetts for 4 months, effective December 12, 2018. The basis for the suspension included neglect of an immigration matter. The Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR Disciplinary Counsel") petitioned for the respondent's immediate suspension from practice before the Board and the Immigration Courts on December 20, 2018, and stated that the respondent remains suspended from the practice of law in Massachusetts, 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 February 8, 2019.

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 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 suspended from practicing before the Board and the Immigration Courts for 4 months. 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 by the Supreme Judicial Court for Suffolk County, Massachusetts. Based on representations by the EOIR Disciplinary Counsel in the Notice of Intent to Discipline, we will deem our suspension to have commenced on December 12, 2018, the effective date of the respondent's suspension in Massachusetts.

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS for 4 months. The suspension is deemed to have commenced on December 12, 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