File: D2019-0005 Date: MAR 20 2019

In re: Afton Jane IZEN, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

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

ON BEHALF OF EOIR: Paul Rodrigues
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 6 months.

On October 23, 2018, the Evidentiary Panel for the State Bar of Texas, District 4-5 Grievance Committee issued an "Agreed Judgment of Partially Probated Suspension." The order suspended the respondent from the practice of law in Texas for 24 months, with the respondent actively suspended from the practice of law for 6 months beginning November 1, 2018, and ending April 30, 2019. The suspension was based on the respondent's failure to keep a client reasonably informed about the status of his case, and failing to take steps to protect the client's interests, upon termination of the representation.

The Disciplinary Counsel for the DHS petitioned for the respondent's immediate suspension from practice before that agency on February 4, 2019. 8 C.F.R. § 1003.103(a). The Disciplinary Counsel for the DHS stated that the respondent remains suspended from the practice of law in Texas, as of the date of its filing.

The Disciplinary Counsel for the Executive Office for Immigration Review asked that the respondent be similarly suspended from practice before the Board and the Immigration Courts. We granted the petition on February 19, 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. 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 DHS for 6 months. The Disciplinary Counsel for EOIR asks the Board to extend that discipline to practice before the Board and the Immigration Courts 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 Texas. Further, as the respondent is currently under our February 19, 2019, order of suspension, we will deem her suspension to have commenced on that date.

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS, for 6 months. The suspension is deemed to have commenced on February 19, 2019.

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 her.

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