

Falls Church, Virginia 22041

File: D2018-0183

Date: APR 04 2019

In re: Shannon DeWayne PATTERSON, 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 disbarred from practice before the Board of Immigration Appeals ("Board"), the Immigration Courts, and the Department of Homeland Security ("DHS").

On May 21, 2018, the Supreme Court of Georgia suspended the respondent on an interim basis from the practice of law in Georgia, until his sentencing by a federal district court, and until further order of the court. The respondent pled guilty in federal district court to one count of willfully aiding and assisting in the preparation and presentation of a false tax return. The respondent admitted that he was in violation of the Georgia Rules of Professional Conduct, which make it a disciplinary violation for an attorney to be convicted of a felony.

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 June 14, 2018, and stated that the respondent remains suspended from the practice of law in Georgia, 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 June 29, 2018.

On January 22, 2019, the Supreme Court of Georgia accepted the respondent's petition to voluntarily surrender his law license. The Supreme Court of Georgia noted that on September 27, 2018, the federal district court sentenced the respondent to 13 months of incarceration, followed by a year of supervised release. The Supreme Court of Georgia also indicated that a surrender of a law license is "tantamount to disbarment." Consequently, on February 14, 2019, the Disciplinary Counsel for EOIR filed a Notice of Intent to Discipline.

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 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, 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 January 22, 2019, the Supreme Court of Georgia accepted the respondent's petition to voluntarily surrender his law license. We will deem the respondent's disbarment to have commenced on June 29, 2018, the date of the Board's immediate suspension order.

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 June 29, 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