

Falls Church, Virginia 22041

File: D2019-0045

Date: **MAY 10 2019**

In re: Samuel Campbell MARSH, 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").

We suspended the respondent from practice for 1 year before the Immigration Courts, Board, and DHS, in Case No. D2016-0029, on December 29, 2017. This was based on the respondent's suspension by the United States Court of Appeals for the Ninth Circuit. The suspension before the Immigration Courts, Board, and DHS remains in effect, as the respondent has not been reinstated to practice by the Board.

The Supreme Court of Washington disbarred the respondent on February 1, 2019. The Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") filed a Notice of Intent to Discipline on March 26, 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 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 disbarred from practicing before the Board and the Immigration Courts. *See* 8 C.F.R. § 1003.102(e) (attorney who is subject to a disbarment order is 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 generally direct the Board to adopt the proposed sanction contained in the Notice of Intent to Discipline. 8 C.F.R. § 1003.105(d)(2). The proposed sanction is appropriate, given that the respondent has been disbarred in Washington. Accordingly, the Board will honor that proposal.

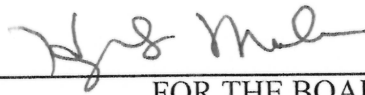
ORDER: The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and the DHS, effective immediately.

FURTHER ORDER: The respondent is instructed to maintain compliance with the directives set forth in our December 29, 2017, suspension order in Case No. D2016-0029.

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