

Falls Church, Virginia 22041

File: D2019-0001

Date: JUN 04 2019

In re: Andreea DUMITRU a.k.a. Andreea Dumitru Parcalaboiu a.k.a. Andreea Laura Dumitru
Parcalaboiu, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

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

ON BEHALF OF EOIR: Paul A. Rodrigues, Disciplinary Counsel

The respondent will be disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security (DHS).

On November 19, 2018, in a case titled United States of America versus Andreea Dumitru in the United States District Court for the Southern District of New York, a jury entered a verdict of guilty on counts 1, 2 and 3 of a superseding indictment (Petition for Immediate Suspension, Attachment 1). These counts charged the respondent with asylum fraud under 18 U.S.C. § 1546, false statements under 18 U.S.C. § 1001(a)(2) and (3), and aggravated identity theft under 18 U.S.C. § 1028A(a)(1) (Petition for Immediate Suspension, Attachment 2). On January 2, 2019, United States District Judge Lewis Kaplan denied the respondent's motions for a judgment of acquittal or a new trial (Petition for Immediate Suspension, Attachment 3).

On February 4, 2019, the Disciplinary Counsel for the DHS petitioned for the respondent's immediate suspension from practice before that agency. The Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) then asked that the respondent be similarly suspended from practice before the Board of Immigration Appeals and the Immigration Courts.

The evidence submitted by the Disciplinary Counsel for the DHS established that the respondent has been found guilty of a serious crime as defined in 8 C.F.R. § 1003.102(h) and that immediate suspension was required. *See* 8 C.F.R. § 1003.103(a)(4). We therefore granted the petition for immediate suspension on February 19, 2019.

On February 6, 2019, the Appellate Division of the Supreme Court of New York, Second Judicial Department, issued an opinion and order disbarring the respondent from the practice of law in New York due to her conviction for a felony (Notice of Intent to Discipline, Attachment 1). On April 15, 2019, the Disciplinary Counsel for the DHS filed a Notice of Intent to Discipline charging that the respondent, having been subject to a final order of disbarment, is subject to reciprocal discipline under 8 C.F.R. § 1003.102(e).

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 DHS. The Disciplinary Counsel for EOIR asks us to extend that discipline to practice before the Board of Immigration Appeals and the Immigration Courts. Because the respondent has failed to file an answer, the regulations direct us 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 respondent's disbarment in New York. We therefore will honor the proposed discipline and will order the respondent disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS. Further, as the respondent is currently under our February 19, 2019, order of suspension, her disbarment will commence immediately upon issuance of this order.

ORDER: The Board hereby disbars the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS. The disbarment will commence immediately upon issuance of this order.

FURTHER ORDER: The respondent must maintain compliance with the directives set forth in our prior order. The respondent must notify the Board of Immigration Appeals 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 of Immigration Appeals, the Immigration Courts, and the DHS under 8 C.F.R. § 1003.107.



FOR THE BOARD