

Falls Church, Virginia 22041

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File: D2019-0274

Date: OCT 24 2019

In re: Marivel CANTU-MADRIL, 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 March 20, 2017, we suspended the respondent from practice before the Immigration Courts, Board, and DHS, in Case No. D2016-0046, for 1 year, effective February 6, 2017. This was based on the fact that, on December 30, 2016, the United States Court of Appeals for the Ninth Circuit suspended the respondent from the practice of law in that court for 1 year "[f]or her violations of the court's rules and orders and ethical rules," as set forth in the Ninth Circuit Appellate Commissioner's Report and Recommendation. The suspension remains in effect, as the respondent has not been reinstated to practice by the Board.

The respondent was disbarred by the Presiding Disciplinary Judge of the Supreme Court of Arizona on February 4, 2019, after the parties filed a "Consent to Disbarment." On August 29, 2019, the Disciplinary Counsel for the Executive Office for Immigration Review filed a Notice of Intent to Discipline. *See* 8 C.F.R. § 1003.102(e).

Subsequently, 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.

The Notice of Intent to Discipline proposes that the respondent be disbarred from practicing before the Board and the Immigration Courts. 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 respondent's disbarment in Arizona. Accordingly, the following order will entered.

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 March 20, 2017, suspension order in Case No. D2016-0046.

FURTHER ORDER: The respondent is instructed to notify the Board of any further disciplinary action against her.

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.

  
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FOR THE BOARD