

Falls Church, Virginia 22041

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File: D2019-0341

Date: DEC 10 2019

In re: Joan Othelia PINNOCK, 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 suspended from practice before the Board of Immigration Appeals ("Board"), the Immigration Courts, and the Department of Homeland Security ("DHS") for 3 months.

The Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") and the Disciplinary Counsel for the DHS jointly petitioned for the respondent's immediate suspension from practice before the Board, the Immigration Courts, and the DHS, on October 22, 2019.

On December 5, 2018, the Supreme Court of New Jersey filed an order suspending the respondent from the practice of law in New Jersey for 3 months, effective January 4, 2019, based on gross neglect; pattern of neglect; lack of diligence; failure to communicate with a client, and conduct involving dishonesty, fraud, deceit or misrepresentation.

On March 13, 2019, the Supreme Court of New Jersey filed an order temporarily suspending the respondent from the practice of law in New Jersey, for failure to comply with the determination of a fee arbitration committee, effective April 12, 2019. The order noted that the respondent remained under the court's December 5, 2018, suspension order.

The Disciplinary Counsels for EOIR and the DHS stated that the respondent remained suspended from the practice of law in New Jersey as of the date of the joint petition for immediate suspension. We granted the petition on October 29, 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 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 Board, the Immigration Courts, and the DHS, for 3 months. 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, in light of the discipline imposed against the respondent in New Jersey. We will deem the respondent's suspension to have commenced on October 29, 2019, the date of the Board's immediate suspension order.

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS for 3 months. The suspension is deemed to have commenced on October 29, 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