

Falls Church, Virginia 22041

File: D2018-0143

Date: DEC 10 2019

In re: Rolando Enrique RODRIGUEZ, 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 April 30, 2018, the Supreme Court of Florida issued an order suspending the respondent from the practice of law in Florida, until further order of the court. A "Petition for Emergency Suspension" had been filed by the Florida Bar under Rule 3-5.2 of the Rules Regulating the Florida Bar. Under that rule, an emergency suspension may be granted upon evidence that an attorney appears to be causing great public harm.

The Disciplinary Counsel for the DHS petitioned for the respondent's immediate suspension from practice before that agency on June 4, 2018. The Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") asked that the respondent be similarly suspended from practice before the Board and the Immigration Courts.

We granted the petition for immediate suspension on June 29, 2018. The Disciplinary Counsel for EOIR and the Disciplinary Counsel for the DHS jointly filed a Notice of Intent to Discipline on October 21, 2019. The record reflects that the respondent was disbarred by the Supreme Court of Florida on October 4, 2018, effective immediately. The disbarment was based on the respondent's misconduct concerning immigration clients.

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 Board, the Immigration Courts, and the DHS. 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 the

respondent has been disbarred in Florida. Further, as the respondent is currently under our June 29, 2018, order of suspension, we will deem his disbarment to have commenced on that date.

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