

Falls Church, Virginia 22041

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File: D2019-0234

Date: MAR 04 2020

In re: Mihae PARK, 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, the Immigration Courts, and the Department of Homeland Security (DHS).

On May 16, 2019, the United States District Court for the Central District of California accepted the respondent's guilty plea for one count of visa fraud in violation of 18 U.S.C. § 1546(a) and one count of filing a false tax return in violation of 26 U.S.C. § 7206. On July 24, 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. We granted the petition on August 6, 2019.

On December 19, 2019, the United States District Court for the Central District of California entered a judgment and probation commitment order in the respondent's criminal proceedings. On January 14, 2020, the Disciplinary Counsels for EOIR and the DHS filed a joint Notice of Intent to Discipline charging that the respondent is subject to summary discipline under 8 C.F.R. § 1003.102(h) because the respondent was convicted of a serious crime. The Disciplinary Counsels further noted that the period for the respondent to appeal from U.S. District Court's judgment has now passed. *See* Fed. R. App. P. 4(b)(1).

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 disbarred from practicing before the Board of Immigration Appeals, the Immigration Courts, and the DHS. 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 convictions for visa fraud and filing a false tax return, offenses that qualify as serious crimes for the purposes of 8 C.F.R.

§ 1003.102(h). 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. The respondent's disbarment will begin 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 commences immediately.

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.



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FOR THE BOARD