

Falls Church, Virginia 22041

AUG 17 2020

File: D2018-0184

Date:

In re: William BURTON a.k.a. William Franklin Burton, 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, the Immigration Courts, and the Department of Homeland Security (DHS) for 1 year and 1 day.

On June 4, 2018, the Virginia State Bar Disciplinary Board (Disciplinary Board) issued an order immediately suspending the respondent from the practice of law in Virginia until the Disciplinary Board determined that the respondent has fully complied with a subpoena duces tecum served on March 30, 2018 (Petition for Immediate Suspension, Attachment 1). On June 15, 2018, the Acting Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. The Disciplinary Counsel for the DHS then asked that the respondent be similarly suspended from practice before that agency. We granted the petition on July 9, 2018.

On May 20, 2020, the Disciplinary Board issued an Agreed Disposition Memorandum Order suspending the respondent from the practice of law in Virginia for 1 year and 1 day. On June 4, 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 due to his suspension in Virginia.

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 of Immigration Appeals, the Immigration Courts, and the DHS for 1 year and 1 day. 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 suspension in Virginia. We therefore will honor the proposed discipline and will order the respondent suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS for 1 year and 1

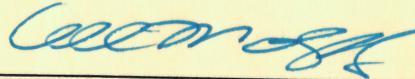
day. Further, as the respondent is currently suspended under our July 9, 2018, order of suspension, his suspension will be effective immediately upon issuance of this order.

ORDER: The Board hereby suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS for 1 year and 1 day, effective 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 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.



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FOR THE BOARD