

Falls Church, Virginia 22041

File: D2020-0131

Date:

In re: Ana Lisa GARZA PENA, Attorney

AUG 31 2020

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 indefinitely from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security (DHS).

On May 6, 2020, the Supreme Court of Minnesota issued an order indefinitely suspending the respondent from the practice of law in Minnesota, effective May 20, 2020. On June 11, 2020, 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 of Immigration Appeals, the Immigration Courts, and the DHS. We granted the petition on July 1, 2020.

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 indefinitely 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).

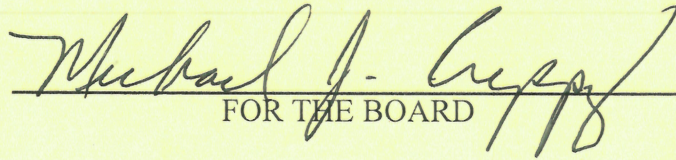
The proposed sanction is appropriate in light of the respondent's suspension in Minnesota. We therefore will honor the proposed discipline and will order the respondent suspended indefinitely from practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS. Further, as the respondent is currently suspended under our July 1, 2020, order of suspension, we will deem her suspension to have commenced on that date.

ORDER: The Board hereby indefinitely suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS, effective July 1, 2020.

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