

**NOT FOR PUBLICATION**

U.S. Department of Justice  
Executive Office for Immigration Review  
Board of Immigration Appeals

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MATTER OF:

Wesley Steven WHITE, D2021-0143

Respondent

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**FILED**

OCT 08 2021

ON BEHALF OF RESPONDENT: Pro Se

ON BEHALF OF EOIR: Paul A. Rodrigues, Disciplinary Counsel

ON BEHALF OF DHS: Catherine M. O'Connell, Disciplinary Counsel

IN PRACTITIONER DISCIPLINARY PROCEEDINGS  
Notice of Intent to Discipline before the Board of Immigration Appeals

Before: Deputy Appellate Immigration Judge Garry D. Malphrus, Appellate Immigration Judge  
Michael J. Creppy, Appellate Immigration Judge Ellen Liebowitz

Opinion by Appellate Immigration Judge Garry D. Malphrus

MALPHRUS, Deputy Appellate Immigration Judge

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 a period of two years, effective August 11, 2021.

On May 11, 2021, the Disciplinary Hearing Commission of the North Carolina State Bar issued a Consent Order of Discipline suspending the respondent from the practice of law in North Carolina for a period of two years, effective June 10, 2021. On July 26, 2021, the Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) and the Disciplinary Counsel for the DHS filed a Joint Notice of Intent to Discipline, as well as a Joint Petition for Immediate Suspension, based upon the respondent's suspension in North Carolina. We granted the Joint Petition for Immediate Suspension on August 11, 2021.

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 practice before the Board, the Immigration Courts, and the DHS, for a period of two years, effective as of

the date of the Board's immediate suspension order. Because the respondent failed to timely 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 North Carolina. We will honor the proposed discipline and will order the respondent suspended from practice before the Board, the Immigration Courts, and the DHS for a period of two years, effective August 11, 2021.

ORDER: The Board of Immigration Appeals hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS for a period of two years, effective August 11, 2021.

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.