

NOT FOR PUBLICATION

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

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MATTER OF:

Juan Carlos MERCADO, Jr., D2021-0228

Respondent

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**FILED**

**MAR 02 2022**

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: Creppy, Appellate Immigration Judge; Liebowitz, Appellate Immigration Judge;  
Manuel, Temporary Appellate Immigration Judge<sup>1</sup>

Opinion by: Liebowitz, Appellate Immigration Judge

LIEBOWITZ, Appellate Immigration Judge

The respondent will be suspended from the practice of law before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security (DHS) for 6 months, effective November 13, 2021.

On October 14, 2021, the Supreme Court of Florida approved the respondent's stipulation to probable cause and conditional guilty plea for consent judgment and suspended the respondent from the practice of law in Florida for 6 months, effective November 13, 2021. On December 9, 2021, the Disciplinary Counsel for the Executive Office for Immigration Review 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 January 12, 2022.

The respondent has filed a timely answer to the allegations contained in the Notice of Intent to Discipline. *See* 8 C.F.R. § 1003.105. In his response, the respondent waives his right to a hearing, admits the allegations contained in the Notice of Intent to Discipline, and consents to the discipline proposed by the Disciplinary Counsels for EOIR and the DHS.

The Notice of Intent to Discipline proposes that the respondent be suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS for 6 months. The proposed sanction is appropriate in light of the respondent's suspension in Florida. We

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<sup>1</sup> Temporary Appellate Immigration Judges sit pursuant to appointment by the Attorney General. *See generally* 8 C.F.R. § 1003.1(a)(1), (4).



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 6 months. Further, as the respondent notified the Disciplinary Counsels for EOIR and the DHS of his suspension in Florida in compliance with 8 C.F.R. § 1003.103(c), his suspension will be effective November 13, 2021, and run concurrently with his suspension in Florida.

ORDER: The Board hereby suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS for 6 months, effective November 13, 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.