

**NOT FOR PUBLICATION**

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

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MATTER OF:

Robert Charles NEELEY, Jr., D2022-0059

Respondent

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**FILED**

JUL 01 2022

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

ON BEHALF OF DHS: Toinette M. Mitchell, 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; Brown,  
Temporary Appellate Judge<sup>1</sup>

Opinion by Appellate Immigration Judge Liebowitz

LIEBOWITZ, Appellate Immigration Judge

The respondent will be suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security ("DHS") for 6 months, effective April 20, 2022.

On April 20, 2022, the Virginia State Bar Disciplinary Board accepted the Agreed Disposition and suspended the respondent from the practice of law in Virginia for 6 months, effective April 20, 2022. On April 28, 2022, the Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") and the Disciplinary Counsel for DHS jointly petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. We granted the petition on May 17, 2022.

On May 11, 2022, the respondent filed a response to the Notice of Intent to Discipline. In his response, the respondent admitted all of the factual allegations in the Notice of Intent to Discipline and stated that he did not request a hearing. The respondent also notified the Disciplinary Counsels for EOIR and DHS of his suspension in Virginia.

Because the respondent has not requested a hearing or made a prima facie showing that there is a material issue of fact in dispute regarding the basis for disciplinary proceedings, we will proceed in summary disciplinary proceedings. *See* 8 C.F.R. § 1003.103(b)(2); 8 C.F.R. § 1003.106(a). Further, the respondent has not contested the imposition of discipline, and the

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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).



proposed sanction of suspension is appropriate in light of the respondent's 6-month 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 DHS for 6 months. In addition, as the respondent notified the Disciplinary Counsels of his suspension in Virginia within 30 days of the suspension in compliance with 8 C.F.R. § 1003.103(c), his suspension will be effective as of April 20, 2022, the effective date of his suspension in Virginia.

ORDER: The Board hereby suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS for 6 months, effective April 20, 2022.

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 DHS.

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, the Immigration Courts, and DHS under 8 C.F.R. § 1003.107.