

NOT FOR PUBLICATION

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

MATTER OF:

Patrick Chinedu NWANERI, D2022-0171

Respondent

FILED

NOV 29 2022

ON BEHALF OF RESPONDENT: Pro se

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: Noferi, Temporary Appellate Immigration Judge¹; Brown, Temporary Appellate
Immigration Judge; Liebowitz, Appellate Immigration Judge

Opinion by Temporary Appellate Immigration Judge Noferi

NOFERI, Temporary 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"), effective September 7, 2022.

On August 24, 2022, the State of Minnesota Supreme Court issued an Opinion suspending the respondent from the practice of law in Minnesota for a period of 90 days, followed by two years of supervised probation, effective September 7, 2022. On October 6, 2022, the Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") and the Disciplinary Counsel for the Department of Homeland Security ("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 Minnesota. We granted the Joint Petition for Immediate Suspension on October 26, 2022.

The respondent was required to file a timely answer to the allegations contained in the Joint 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 prescribed in the Joint Notice of Intent to Discipline

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

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 Joint Notice of Intent to Discipline proposes that the respondent be suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, for a period of 90 days, effective September 7, 2022. Because the respondent did not file an answer, the regulations direct us to adopt the proposed sanction contained in the Joint 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 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 a period of 90 days. Further, as the respondent notified the Disciplinary Counsels for EOIR and DHS of his suspension in compliance with 8 C.F.R. § 1003.103(c), his suspension will be effective as of September 7, 2022, the effective date of the State of Minnesota Supreme Court's Opinion.

ORDER: The Board hereby suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, for a period of 90 days, effective September 7, 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.