

NOT FOR PUBLICATION

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

MATTER OF:

Tara A. DEMETRIADES, D2023-0020

Respondent

FILED

MAR 13 2023

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: Malphrus, Chief Appellate Immigration Judge, Liebowitz, Appellate Immigration Judge,
Noferi, Temporary Appellate Immigration Judge¹

Opinion by Noferi, Temporary Appellate Immigration Judge

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”) for 6 months, effective February 13, 2023.

On January 18, 2023, the United States Court of Appeals for the Second Circuit affirmed the orders of the Committee on Grievances of the Board of Judges of the United States District Court for the Eastern District of New York which suspended the respondent from the practice of law in the Eastern District of New York for 6 months. On January 26, 2023, the Disciplinary Counsel for the Executive Office for Immigration Review 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 February 13, 2023.

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 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).

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

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 6 months. Because the respondent has failed to 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 the Eastern District of New York. 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. Further, as the respondent is currently suspended pursuant to our February 13, 2023, order of suspension, her suspension will be effective as of that date.

ORDER: The Board hereby suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS for 6 months, effective February 13, 2023.

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 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.