

NOT FOR PUBLICATION

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

MATTER OF:

Alfred Lincoln ROBERTSON, JR., D2023-0130

Respondent

FILED

AUG 09 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, Deputy Chief Appellate Immigration Judge; Creppy, Appellate Immigration Judge; Liebowitz, Appellate Immigration Judge¹

Opinion by Malphrus, Deputy Chief Appellate Immigration Judge

MALPHRUS, Deputy Chief Appellate Immigration Judge

The respondent will be disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security (“DHS”), effective immediately.

On June 25, 2021, the Virginia State Bar Disciplinary Board suspended the respondent from the practice of law in Virginia for a period of one year and one day. On July 1, 2021, the Disciplinary Counsel for the Executive Office for Immigration Review (“EOIR”) and the Disciplinary Counsel for DHS filed a Joint Notice of Intent to Discipline and a Joint Petition for Immediate Suspension in Disciplinary Case 2021-0128 based upon the respondent’s suspension from the practice of law in Virginia. We granted the Joint Petition for Immediate Suspension on August 10, 2021, and we issued a final order of discipline on September 27, 2021, that suspended the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS for one year and one day, effective June 25, 2021, the date his suspension became effective in Virginia. The respondent remains suspended pursuant to this order.

On June 2, 2023, the Circuit Court for the City of Alexandria, Virginia issued a final judgment memorandum order revoking the respondent’s license to practice law in Virginia, effective May 10, 2023. On June 15, 2023, the Disciplinary Counsel for EOIR and the Disciplinary Counsel for DHS filed a 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)

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).

The Joint Notice of Intent to Discipline proposes that the respondent be disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, effective immediately. 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 revocation of the respondent's license to practice law in Virginia. We therefore will honor the proposed discipline and will order the respondent disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. Further, as the respondent remains suspended pursuant to our September 27, 2021, order, and as his license to practice law in Virginia has been revoked since May 10, 2023, his disbarment will be effective immediately.

ORDER: The Board hereby disbars the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, effective immediately.

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.