

Falls Church, Virginia 20530

File: D2013-016

Date: FEB 05 2015

In re: MELINA MERINO, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF EOIR: Jennifer J. Barnes, Disciplinary Counsel

ON BEHALF OF DHS: Megan B. Herndon
West Section Chief, Immigration Court Practice Section

The respondent will be suspended from practice before the Board of Immigration Appeals (the "Board"), the Immigration Courts, and the Department of Homeland Security (the "DHS") for 18 months.

On February 5, 2013, the Supreme Judicial Court for Suffolk County, Massachusetts, entered an Order of Immediate Administrative Suspension administratively suspending the respondent from the practice of law in Massachusetts. Consequently, on February 12, 2013, the Disciplinary Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board and the Immigration Courts. The DHS then asked that the respondent be similarly suspended from practice before that agency. We granted the petition on February 22, 2013.

On November 14, 2014, the Supreme Judicial Court for Suffolk County, Massachusetts, issued a final order suspending the respondent from the practice of law in Massachusetts for 18 months. Subsequently, on December 17, 2014, the Disciplinary Counsel for EOIR filed a Notice of Intent to Discipline and instituted disciplinary proceedings against the respondent on the basis of her suspension in Massachusetts. The DHS then filed a motion for reciprocal discipline.

The respondent was required to file a timely answer to the allegations contained in the Notice of Intent to Discipline but has failed to do so. *See* 8 C.F.R. § 1003.105 (2013). The respondent's failure to file a response within the time period prescribed in the Notice 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 (2013).

The Notice proposes that the respondent be suspended from practicing before the Board and the Immigration Courts for a period of 18 months. Because the respondent has failed to file an answer, the regulations direct the Board to adopt the proposed sanction contained in the Notice, unless there are considerations that compel us to digress from that proposal. 8 C.F.R. § 1003.105 (2013).

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The proposed sanction is appropriate in light of the respondent's suspension in Massachusetts. Further, because the respondent is currently under our February 22, 2013, order of suspension, our order will become effective immediately.

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS for 18 months.

FURTHER ORDER: The respondent is instructed to maintain compliance with the directives set forth in our prior order. The respondent is also instructed to notify the Board of any further disciplinary action against her.

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, Immigration Courts, and DHS under 8 C.F.R. § 1003.107 (2013).

FURTHER ORDER: As the Board earlier imposed an immediate suspension order in this case, today's order of the Board becomes effective immediately. 8 C.F.R. § 1003.105(d)(2) (2013).

A handwritten signature in black ink, appearing to be 'M. De...', written over a horizontal line.

FOR THE BOARD