

Falls Church, Virginia 20530

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File: D2014-107

Date: APR 14 2015

In re: EMILY E. COHEN, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

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

ON BEHALF OF DHS: George R. Martin  
Appellate & Protection Law Section  
Office of the Principal Legal Advisor  
Immigration Law and Practice Division  
U.S. Immigration and Customs Enforcement

Jeannette V. Dever, Legal Fellow  
Immigration Law and Practice Division  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement

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

On March 21, 2014, the Supreme Court of Colorado immediately suspended the respondent from the practice of law in that state. Consequently, on April 4, 2014, the Disciplinary Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. The DHS then asked that the respondent be similarly suspended from practice before that agency. We granted the petition for immediate suspension on April 23, 2014.

On December 17, 2014, nunc pro tunc to December 15, 2014, the District Court, Boulder County, State of Colorado, entered an Amended Jury Trial Minute Order convicting the respondent of thirteen counts of theft in violation of Colorado law. Subsequently, on February 23, 2015, EOIR's Disciplinary Counsel filed a Notice of Intent to Discipline seeking the respondent's disbarment in light of her conviction for a serious crime. The DHS, in turn, filed a motion seeking 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 disbarred from practicing before the Board and the Immigration Courts. 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).

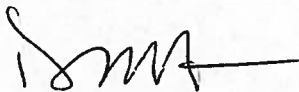
The proposed sanction is appropriate in light of the respondent's conviction for a serious crime involving theft in immigration related matters. In addition, because the respondent is currently under our April 23, 2014, order of suspension, the respondent's disbarment will become effective immediately.

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

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 'S.M.A.', written over a horizontal line.

FOR THE BOARD