

Falls Church, Virginia 22041

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File: D2011-186

Date:

OCT 26 2011

In re: JACK DOUGLAS KING, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF DHS: Rachel A. McCarthy, Disciplinary Counsel

ON BEHALF OF EOIR: Scott Anderson, Deputy Disciplinary Counsel

The respondent will be suspended from practice before the Board, Immigration Courts, and Department of Homeland Security (the "DHS"), for 90 days, nunc pro tunc to June 9, 2011.

On May 10, 2011, the Supreme Court of Florida suspended the respondent from the practice of law for 90 days, effective thirty days from the date of its order. Consequently, on August 19, 2011, the DHS initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. The Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) has asked that the respondent be similarly suspended from practice before EOIR, including the Board and Immigration Courts.

Therefore, on September 15, 2011, the Board suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

The respondent filed a timely answer to the allegations contained in the Notice of Intent to Discipline. *See* 8 C.F.R. §§ 1003.105(c)(1); 1292.3(e)(3). The respondent does not dispute the allegations in the Notice of Intent to Discipline, and acknowledges that he is subject to discipline by the Board. 8 C.F.R. § 1003.103(b).

The respondent argues only that his suspension should run concurrently with the suspension imposed in Florida; in other words, his suspension by the Board should be deemed to coincide with the discipline imposed in Florida.

As there is no material issue of fact in dispute, and as the DHS Disciplinary Counsel's proposed sanction of 90 days is appropriate, in light of the respondent's suspension in Florida, the Board will honor that proposal. 8 C.F.R. §§ 1003.106; 1292.3(e)(3).

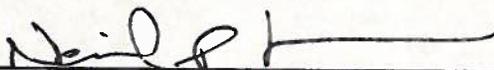
Further, after consideration of the respondent's answer, as well as the government's filing, the Board will deem the suspension to be imposed nunc pro tunc to June 9, 2011, the effective date of the respondent's suspension in Florida.

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS, for 90 days, nunc pro tunc to June 9, 2011.

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 him.

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.<sup>1</sup>

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)(2010); *Matter of Kronegold*, 25 I&N Dec. 157, 163 (BIA 2010).



FOR THE BOARD

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<sup>1</sup>The respondent will need to present evidence that he has been reinstated to practice law in Florida, before the Board would reinstate him to practice.