

Falls Church, Virginia 20530

File: D2014-067

Date: APR 23 2014

In re: EUGENE DUKJOON KIM, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF DHS: Catherine M. O'Connell, Disciplinary Counsel

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

The respondent will be suspended from practice before the Board, the Immigration Courts, and the Department of Homeland Security (DHS) for 1 year.

On December 18, 2013, the respondent was suspended from the practice of law for two years, stayed, with an actual suspension of 1 year, and probation for three years, by the Supreme Court of California. Consequently, on March 10, 2014, 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) then asked that the respondent be similarly suspended from practice before EOIR, including the Board and Immigration Courts. We granted the petition for immediate suspension on March 19, 2014.

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 DHS for 1 year. 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).

Because the proposed sanction is appropriate, in light of the respondent's suspension from the practice of law by the Supreme Court of California, the Board will honor that proposal. As the respondent is currently under our March 19, 2014, order of suspension, we will deem the respondent's suspension to have commenced on that date.

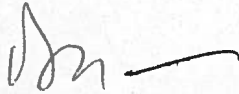
ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS.

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 him.

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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 'Don' followed by a horizontal line.

FOR THE BOARD