

Falls Church, Virginia 20530

File: D2013-262

Date:

JUL 28 2014

In re: WILLIAM L. ROGERS, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

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

ON BEHALF OF DHS: Diane H. Kier
Associate Legal Advisor

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

On July 2, 2013, the Supreme Court of Florida approved a petition for the emergency suspension of the respondent from the practice of law in Florida. Consequently, on September 27, 2013, the Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) 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 for immediate suspension on November 1, 2013.

Subsequently, on April 7, 2014, the Supreme Court of Florida issued a final order approving the Report of the Referee and suspending the respondent from the practice of law in Florida for 18 months, nunc pro tunc to the date the emergency suspension went into effect. On June 13, 2014, the Disciplinary Counsel for EOIR filed a Notice of Intent to Discipline with supporting documents. The DHS then asked that any restrictions placed on the respondent's practice of law before the Board and Immigration Courts also be extended to the respondent's practice before the DHS.

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 of Intent to Discipline proposes that the respondent be suspended from practicing before the Board and the Immigration Courts for 18 months. The Disciplinary Counsel for DHS asks the Board to extend that discipline to practice before that agency as well. 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).

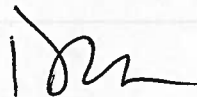
Because the proposed sanction is appropriate, in light of the respondent's suspension in Florida, the Board will honor that proposal. Further, as the respondent is currently under our November 1, 2013, order of suspension, we will deem the respondent's suspension to have commenced on that date.

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

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, the Immigration Courts, and the DHS under 8 C.F.R. § 1003.105(d)(2) (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).



FOR THE BOARD