

Falls Church, Virginia 22041

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File: D2015-0161

Date:

In re: HASTI FAKHRAI-BAYROOTI, a.k.a. Haley Bayrooti, Attorney **SEP 10 2015**

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

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

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

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

On June 19, 2015, the respondent was convicted, on the basis of a guilty plea, of a serious crime, namely, possession of an illegal substance in jail, in the Superior Court of California, County of Orange. Consequently, on August 7, 2015, the Disciplinary Counsel for the DHS petitioned for the respondent's immediate suspension from practice before that agency. The Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) then asked that the respondent be similarly suspended from practice before the Board of Immigration Appeals and the Immigration Courts. We granted the petition on September 2, 2015.

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 DHS. 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 possession of an illegal substance in jail. Accordingly, the Board will honor that proposal. As the respondent is currently under our September 2, 2015, order of suspension, we will deem the respondent's disbarment to have commenced on that date.

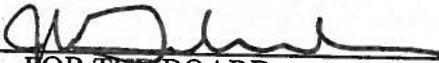
**ORDER:** The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and the DHS.

**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.

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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).

  
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FOR THE BOARD