

Falls Church, Virginia 22041

File: D2016-0109

Date:

SEP 02 2016

In re: SYDNEY MARMION WEAVER, 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 of Immigration Appeals ("Board"), the Immigration Courts, and the Department of Homeland Security ("DHS") for six months.

On May 9, 2016, the District 15 Grievance Committee, Evidentiary Panel 15-3, State Bar of Texas issued a Judgment of Partially Probated Suspension. The order suspended the respondent from the practice of law for 12 months, with the respondent actively suspended from the practice of law for 6 months beginning July 1, 2016, and ending December 31, 2016. The Disciplinary Counsel for the DHS petitioned for the respondent's immediate suspension from practice before that agency on July 18, 2016. 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 August 8, 2016.

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. 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.

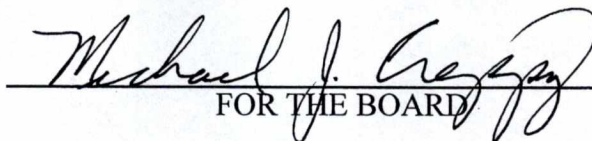
The Notice of Intent to Discipline proposes that the respondent be suspended from practicing before the DHS for six months. The Disciplinary Counsel for EOIR asks the Board to extend that discipline to practice before the Board and the Immigration Courts as well. Because the respondent has failed to 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. The proposed sanction is appropriate, in light of the respondent's suspension in Texas. Further, as the respondent is currently under our August 8, 2016, 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 six months. The suspension is deemed to have commenced on August 8, 2016.

FURTHER ORDER: The respondent must maintain compliance with the directives set forth in our prior order. The respondent must notify the Board of any further disciplinary action against her.

FURTHER ORDER: The contents of the order shall be made available to the public, including at the Immigration Courts and appropriate offices of the DHS.

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. § 1003.107.



FOR THE BOARD