

NOT FOR PUBLICATION

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

MATTER OF:

Douglas Leo ROMERO, D2023-0204

Respondent

FILED

NOV 13 2023

ON BEHALF OF EOIR: Paul A. Rodrigues, Disciplinary Counsel

ON BEHALF OF DHS: Toinette M. Mitchell, Disciplinary Counsel

IN PRACTITIONER DISCIPLINARY PROCEEDINGS
Notice of Intent to Discipline Before the Board of Immigration Appeals

Before: Malphrus, Deputy Chief Appellate Immigration Judge; Clark, Appellate Immigration Judge; Creppy, Appellate Immigration Judge

Opinion by Malphrus, Deputy Chief Appellate Immigration Judge

MALPHRUS, Deputy Chief Appellate Immigration Judge

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

In Disciplinary Case D2016-0342, we suspended the respondent from the practice of law before the Board, the Immigration Courts, and DHS for 5 months, effective February 15, 2017. The discipline was based on the respondent’s suspension in Colorado. The respondent remains suspended under that order.

On September 5, 2023, the Supreme Court of Colorado issued an Order and Notice of Disbarment disbarring the respondent from the practice of law in Colorado, effective immediately. On September 14, 2023, the Disciplinary Counsel for the Executive Office for Immigration Review and the Disciplinary Counsel for DHS filed a Joint Notice of Intent Discipline alleging that the respondent is subject to reciprocal discipline based on his disbarment in Colorado.

The respondent was required to file a timely answer to the allegations contained in the Joint 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 prescribed in the Joint Notice of Intent to Discipline 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(d)(1).

The Joint Notice of Intent to Discipline proposes that the respondent be disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. Because the respondent has failed to file an answer, the regulations direct us to adopt the proposed sanction

contained in the Joint Notice of Intent to Discipline, unless there are considerations that compel us to digress from that proposal. 8 C.F.R. § 1003.105(d)(2).

The proposed sanction is appropriate considering the respondent's disbarment in Colorado. We therefore will honor the proposed discipline and will order the respondent disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. Further, as the respondent is currently suspended pursuant to our March 10, 2017, order of suspension, his disbarment will be effective immediately.

ORDER: The Board hereby disbars the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, effective immediately.

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 him.

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

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, the Immigration Courts, and DHS under 8 C.F.R. § 1003.107.

Falls Church, Virginia 22041

File: D2016-0342

Date: MAR 10 2017

In re: DOUGLAS LEO ROMERO, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF EOIR: Jennifer J. Barnes
Disciplinary Counsel

ON BEHALF OF DHS: Jeannette V. Dever
Associate Legal Advisor

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 5 months.

On December 9, 2016, the Supreme Court of Colorado, after considering a stipulation filed by the parties, suspended the respondent from the practice of law in Colorado for 1 year, with 5 months to be served and 7 months to be stayed upon the successful completion of a 3-year period of probation, subject to conditions. The effective date of the suspension was February 1, 2017. 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 on January 25, 2017. The DHS then asked that the respondent be similarly suspended from practice before that agency. We granted the petition on February 15, 2017.

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 of Intent to Discipline 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(d)(1).

The Notice of Intent to Discipline proposes that the respondent be suspended from practicing before the Board and the Immigration Courts for 5 months. The 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 of Intent to Discipline, unless there are considerations that compel us to digress from that proposal. 8 C.F.R. § 1003.105(d)(2).

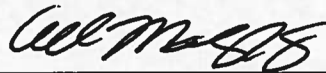
The proposed sanction is appropriate, in light of the discipline imposed by the Supreme Court of Colorado. We will deem the respondent’s suspension to have commenced on February 15, 2017, the date of the Board’s immediate suspension order.

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS, for 5 months. The suspension is deemed to have commenced on February 15, 2017.

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 him.

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