

Falls Church, Virginia 20530

File: D2014-264

Date: OCT 08 2014

In re: ERNEST A. SOLOMON, 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 15 months.

On July 25, 2014, the Supreme Judicial Court for Suffolk County, Commonwealth of Massachusetts, issued an order suspending the respondent from the practice of law in the commonwealth for 15 months. Consequently, on August 22, 2014, the Disciplinary Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. The Department of Homeland Security (DHS) then asked that the respondent be similarly suspended from practice before that agency. We granted the petition on September 22, 2014.

The respondent was required to file a timely answer to the allegations contained in the Notice of Intent to Discipline. 8 C.F.R. § 1003.105 (2013); 8 C.F.R. § 292.3(e). 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); 8 C.F.R. § 292.3(e).

The Notice of Intent to Discipline proposes that the respondent be suspended from practice for 15 months before the Board and the Immigration Courts. The Disciplinary Counsel for DHS asks that we extend that discipline to practice before the DHS. Because the respondent failed to file a timely answer, the regulations direct us 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); 8 C.F.R. § 292.3(e).

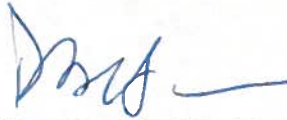
The proposed sanction is appropriate in light of the respondent's suspension from the practice of law by the Supreme Judicial Court for Suffolk County, Commonwealth of Massachusetts. We therefore will honor that proposal. Further, as the respondent is currently under our September 22, 2014, order of 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 for 15 months.

FURTHER ORDER: The respondent is instructed to maintain compliance with the directives set forth in our prior order. The respondent also is 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. § 1003.107 (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).



FOR THE BOARD