

Falls Church, Virginia 20530

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File: D2014-368

Date: APR 19 2016

In re: FENG LING LIU, 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 disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security (DHS).

On November 21, 2014, a judgment in a criminal case was entered concerning the respondent, in the United States District Court for the Southern District of New York. The respondent was convicted of a serious crime, namely conspiracy to commit immigration fraud. 8 C.F.R. § 1003.102(h). Consequently, on December 29, 2014, the DHS initiated disciplinary proceedings against the respondent and petitioned for her immediate suspension from practice before the DHS. The Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) then asked that the respondent be similarly suspended from practice before EOIR, including the Board and Immigration Courts. We granted the petition for immediate suspension on January 14, 2015.

The respondent submitted a letter to the Board which, broadly construed, amounted to an answer to the Notice of Intent to Discipline. The DHS thereafter filed a "Motion For Summary Adjudication". The respondent did not deny that she was found guilty of a serious crime. The respondent stated that she stopped practicing before EOIR in 2009, stopped practicing before the DHS in 2013, was not currently engaged in the practice of law, and was to have reported for prison in January, 2015. She claimed that a suspension order by the Board was "not necessary."

On February 25, 2015, we issued an order finding that the respondent had presented no good reason for the Board to set aside its immediate suspension order. This order stayed the proceedings concerning the DHS' Notice of Intent to Discipline until the conclusion of the direct appeal of the respondent's criminal conviction. 8 C.F.R. § 1003.103(b).

The DHS Disciplinary Counsel on March 29, 2016, filed a "Motion for Entry of Final Order". The DHS Disciplinary Counsel presents evidence that on January 27, 2016, the United States Court of Appeals for the Second Circuit affirmed the decision of the District Court, concerning the respondent's conviction. The respondent has not filed a response to the motion. Therefore, the DHS Disciplinary Counsel's motion is granted.

The respondent's answer did not deny that she is subject to discipline by the Board based on her conviction. As there is no material issue of fact in dispute, the Board will enter a final order of discipline in this case. The proposed sanction of disbarment is appropriate in light of the circumstances. Accordingly, the Board will honor that proposal. As the respondent is currently under our January 14, 2015, order of suspension, we will deem the respondent's disbarment to have commenced on that date.

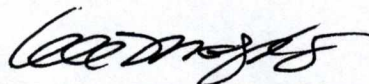
ORDER: The DHS Disciplinary Counsel's "Motion for Entry of Final Order" is granted.

FURTHER 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 immediate suspension order. The respondent is also instructed to notify the Board of any further disciplinary action against her.

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.

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).



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FOR THE BOARD