

Falls Church, Virginia 22041

File: D2017-0001

Date: **AUG 02 2017**

In re: William F. LEVINGS a.k.a. William Frederick Levings, 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 1 year and 1 day.

On May 22, 2017, the presiding disciplinary judge of the Supreme Court of Colorado issued an “Order and Notice of Suspension.” The judge suspended the respondent from the practice of law in Colorado for 1 year and 1 day, effective immediately, based on the respondent’s misconduct concerning an immigration client.

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 June 14, 2017, and stated that the respondent remained suspended from the practice of law in Colorado, as of the date of its filing. The DHS then asked that the respondent be similarly suspended from practice before that agency. We granted the petition on June 30, 2017.¹

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. 8 C.F.R. § 1003.105 (2017). 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).

¹ The respondent was also enjoined from practicing law in Nevada, by the Supreme Court of Nevada, on December 12, 2016, based on his actions concerning an immigration client (Notice of Intent to Discipline at 2, Exh. 4). Additionally, on April 2, 2012, the Minnesota Supreme Court granted the respondent’s petition to resign as an attorney licensed in that state. *Id.* at Exh. 5.

The Notice of Intent to Discipline proposes that the respondent be suspended from practicing before the Board and the Immigration Courts for 1 year and 1 day. 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. Further, as the respondent is currently under our June 30, 2017, order of suspension, we will deem his 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 1 year and 1 day. The suspension is deemed to have commenced on June 30, 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