

NOT FOR PUBLICATION

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

MATTER OF:

Vy Thuan NGUYEN, D2024-0275

Respondent

FILED

DEC 19 2024

ON BEHALF OF RESPONDENT: Pro se

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; Liebowitz, Appellate Immigration Judge

Opinion by Liebowitz, Appellate Immigration Judge

LIEBOWITZ, Appellate Immigration Judge

The respondent will be disbarred from practice before the Board of Immigration Appeals ("Board"), the Immigration Courts, and the Department of Homeland Security ("DHS"), effective November 14, 2024.

On May 10, 2024, Evidentiary Panel 4-6 of the State Bar of Texas, District No. 4 Grievance Committee, issued an order disbarring the respondent from the practice of law in Texas, effective May 10, 2024. On October 31, 2024, the Disciplinary Counsel for the Executive Office for Immigration Review and the Disciplinary Counsel for the DHS jointly petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. We granted the Joint Petition for Immediate Suspension on November 14, 2024.

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. 8 C.F.R. § 1003.105(d)(1). 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)-(2).

The Joint Notice of Intent to Discipline proposes that the respondent be disbarred from practice before the Board, the Immigration Courts, and DHS, effective as of the date of our immediate suspension order. Because the respondent did not 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 diverge from that proposal. 8 C.F.R. § 1003.105(d)(2).

The proposed sanction is appropriate in light of the respondent's disbarment in Texas. We will honor the proposed discipline and will order the respondent disbarred from practice before the Board, the Immigration Courts, and DHS, effective November 14, 2024.

ORDER: The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and DHS, effective November 14, 2024.

FURTHER ORDER: The respondent must maintain compliance with the directives set forth in our November 14, 2024, immediate suspension 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 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.