

Falls Church, Virginia 22041

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File: D2017-0303

Date: JUL 25 2018

In re: James C. ZINMAN, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF DHS: Catherine M. O'Connell, Disciplinary Counsel

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

On June 29, 2015, the District of Columbia Court of Appeals placed the respondent on interim suspension from the practice of law in the District of Columbia. The Disciplinary Counsel for the DHS petitioned for the respondent's immediate suspension from practice before that agency. The Disciplinary Counsel for the Executive Office for Immigration Review then asked that the respondent be similarly suspended from practice before the Board and the Immigration Courts. We granted the petition on September 7, 2017. *See* 8 C.F.R. §§ 1003.103(a)(1), (2), and (4) (discussing grounds for immediate suspension).

On May 17, 2018, the District of Columbia Court of Appeals issued an order disbarring the respondent from the practice of law in the District of Columbia by consent. On May 29, 2018, the Disciplinary Counsel for the DHS filed a Notice of Intent to Discipline charging that the respondent, having been subject to a final order of disbarment by consent, is subject to reciprocal discipline under 8 C.F.R. § 1003.102(e).

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. 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 disbarred from practicing before the DHS. The Acting Disciplinary Counsel for EOIR asks the Board to extend that discipline to practice before the Board and the Immigration Courts. 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 respondent's disbarment in the District of Columbia. We therefore will order the respondent disbarred from practice before the Board, the Immigration Courts, and the DHS. Further, as the respondent remains under our September 7, 2017, order of suspension, his disbarment will commence immediately.

ORDER: The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and the DHS. The disbarment will commence 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 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.

A handwritten signature in black ink, appearing to read "W. M. J.", is written above a horizontal line.

FOR THE BOARD