

Falls Church, Virginia 22041

File: D2001-148

Date: FEB 11 2002

In re: WILLIAM WRIGHT, JR., ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Esquire

ON BEHALF OF SERVICE: Javier Balasquide, Appellate Counsel

ORDER:

PER CURIAM. On March 17, 2000, the respondent was disbarred from the practice of law by the Supreme Court of New Jersey. On March 30, 2001, he was disbarred from the practice of law by the Supreme Judicial Court for Suffolk County, Massachusetts.

Consequently, on November 15, 2001, the Office of General Counsel for the Executive Office for Immigration Review initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. On November 21, 2001, the Immigration and Naturalization Service asked that the respondent be similarly suspended from practice before that agency. Therefore, on December 7, 2001, we suspended the respondent from practicing before the Board, the Immigration Courts, and the Service pending final disposition of this proceeding.

The Notice of Intent to Discipline was served on the respondent on January 2, 2002, as evidenced by the respondent's signature on the certified mail receipt presented by the Office of General Counsel. Therefore, the respondent had 30 days from January 2, 2002, or until February 1, 2002, in which to file an answer to the allegations in the Notice of Intent to Discipline. See 8 C.F.R. § 3.105(c)(1); Notice of Intent to Discipline, at 4. However, the respondent did not file an answer until February 4, 2002, one day late. The answer was sent from New Jersey by Express Mail on February 1, 2002, and thus could not possibly have reached the Board on time. The respondent did not seek an extension of time for filing the answer. *Id.* The respondent's failure to file a timely answer precludes the respondent from requesting a hearing on the matter. 8 C.F.R. § 3.105(d)(1), (2).

The Notice recommends that the respondent be expelled from practicing before the Board and the Immigration Courts. The Service asks that we extend that discipline to practice before it as well. Because the respondent failed to file a timely answer, the regulations direct us to adopt the recommendation contained in the Notice, unless there are considerations that compel us to digress from that recommendation. 8 C.F.R. § 3.105(d)(2). Since the recommendation is appropriate in light of the sanctions imposed by the courts in New Jersey and Massachusetts, we will honor that recommendation. Accordingly, we hereby expel the respondent from practice before the Board, the Immigration Courts, and the Service. As the respondent is currently under our December 7, 2001,

order of suspension, we will deem the respondent's expulsion to have commenced on that date. The respondent is instructed to maintain compliance with the directives set forth in our prior order. The respondent is also instructed to notify the Board of any further disciplinary action against him. The respondent may seek reinstatement under appropriate circumstances. *See* 8 C.F.R. § 3.107(b).

Mary Maguire Deane

FOR THE BOARD.