

Falls Church, Virginia 22041

File: D2004-069

Date: April 8, 2005

In re: MANLIN MAUREEN CHEE, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF DHS: Rachel A. McCarthy, Ethics Counsel

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Bar Counsel

ORDER:

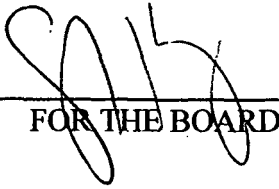
PER CURIAM. On November 23, 2004, the respondent pled guilty in the United States District Court for the Middle District of North Carolina to conspiracy and fraud and misuse of visas/permits, in violation of federal law. The crimes, which related to the respondent's representation of immigration clients, are "serious crimes" within the meaning of 8 C.F.R. § 1003.102(h).

Consequently, on February 17, 2005, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. On February 23, 2005, the Office of General Counsel for the Executive Office for Immigration Review (EOIR) asked that the respondent be similarly suspended from practice before EOIR, including the Board and immigration courts. Therefore, on March 18, 2005, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

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. *See* 8 C.F.R. §§ 1003.105(c)(1); 1292.3(e)(i). The respondent's failure to file a response within the time period prescribed in the Notice constitutes an admission of the allegations therein, and the respondent is now precluded from requesting a hearing on the matter. 8 C.F.R. § 1292.3(e)(ii).

The Notice recommends that the respondent be expelled from practicing before the DHS. The Office of General Counsel of EOIR 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. §§ 1003.105(d)(2); 1292.3(e)(ii). Since the recommendation is appropriate in light of the respondent's admissions to serious crimes, we will honor it. Accordingly, we hereby expel the respondent from practice before the Board, the Immigration Courts, and the DHS. As the respondent is currently under our March 18, 2005, order of suspension, we will deem the respondent's suspension 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 her. After the

suspension period expires, respondent may petition this Board for reinstatement to practice before the Board, Immigration Courts, and DHS. See 8 C.F.R. § 1003.107(a).



FOR THE BOARD