

Falls Church, Virginia 22041

File: D2004-042

Date: JUL - 9 2004

In re: MOHAMED ALAMGIR, 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 April 23, 2004, the respondent pled guilty in the United States District Court for the District of Columbia to a 164-count criminal information involving immigration fraud and money laundering, 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).

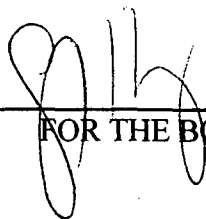
Consequently, on May 18, 2004, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. On June 9, 2004, the Office 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.

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.¹ The respondent is directed to promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the DHS that the respondent

¹As this is the final order in this case, it is not necessary for the Board to rule on the DHS' request that the respondent be immediately suspended pending a final decision concerning the respondent.

has been expelled from practicing before these bodies. The respondent shall maintain records to evidence compliance with this order. Moreover, we direct that the contents of this notice be made available to the public, including at Immigration Courts and appropriate offices of the DHS. The respondent is further instructed to notify the Board of any further disciplinary action against him. The respondent may seek reinstatement under appropriate circumstances. See § C.F.R. § 1003.107(b).



FOR THE BOARD