

Falls Church, Virginia 22041

File: D2009-090

Date:

In re: ANDREA GOODE-JAMES

FEB 9 2011

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF EOIR: Jennifer J. Barnes, Disciplinary Counsel

ON BEHALF OF DHS: Eileen M. Connolly
Chief, Immigration Court Practice Section - East

The respondent will be suspended from practice before the Board, Immigration Courts, and Department of Homeland Security (the "DHS"), for eight years.

On February 26, 2008, the Supreme Judicial Court for Suffolk County, Massachusetts, entered an "Order of Immediate Temporary Suspension" concerning the respondent, temporarily suspending her from the practice of law in Massachusetts pending further order of the court. Consequently, on April 28, 2009, the Disciplinary Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. The DHS then asked that the respondent be similarly suspended from practice before that agency. Therefore, on May 12, 2009, the Board suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

On May 10, 2010, the respondent was disbarred by the Supreme Judicial Court for Suffolk County, Massachusetts, retroactive to February 26, 2008. The respondent on July 1, 2009, had pled guilty in federal district court to the felonies of mail fraud and wire fraud, based on misappropriating client funds, and she was sentenced to twenty-four months incarceration.

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). 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. § 1003.105(d)(1), (2).

The Notice proposes that the respondent be suspended from practicing before the Board and the Immigration Courts for eight years, noting that attorneys disbarred in Massachusetts may not petition for reinstatement until at least eight years from the effective date of the order of disbarment. The DHS asks that the Board extend that discipline to practice before it as well. Because the respondent has failed to file an answer, the regulations direct the Board to adopt the proposed sanction contained in the Notice, unless there are considerations that compel us to digress from that proposal. 8 C.F.R. § 1003.105(d)(2).

Since the proposed sanction is appropriate, in light of the respondent's disbarment in Massachusetts, the Board will honor that proposal. As the respondent is currently under our May 12, 2009, order of suspension, we will deem the respondent's suspension to have commenced on that date.

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS, for eight years.

FURTHER ORDER: 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.

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, Immigration Courts, and DHS under 8 C.F.R. § 1003.107.

FURTHER ORDER: As the Board earlier imposed an immediate suspension order in this case, today's order of the Board becomes effective immediately. *See* 8 C.F.R. § 1003.105(d)(2)(2010); *Matter of Kronegold*, 25 I&N Dec. 157, 163 (BIA 2010).


FOR THE BOARD