

Falls Church, Virginia 20530

File: D2014-335

Date: **MAR 23 2015**

In re: MICHAEL M. CARRASCO, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF DHS: Caitlin Shay, Acting Disciplinary Counsel

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

The respondent will be disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security (the "DHS").

On February 4, 2002, the respondent was disbarred from the practice of law in New Mexico, by the Supreme Court of New Mexico, after the court approved the respondent's agreement not to contest, but consent to discipline. On November 5, 2014, the Supreme Court of New Mexico issued an order deferring a decision on whether the respondent should be held in contempt of court orders. The court's November 5, 2014, order did state, however, that "until further order of the Court, respondent shall not provide any immigration-related services to any immigrant, which includes soliciting business, accepting retainers, completing forms, attending hearings, and providing translations or other services to immigrants." Consequently, on February 2, 2015, the DHS initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. The Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) then asked that the respondent be similarly suspended from practice before EOIR, including the Board and Immigration Courts. We granted the petition for immediate suspension on February 19, 2015.

The respondent was required to file a timely answer to the allegations contained in the Notice of Intent to Discipline. 8 C.F.R. § 1003.105 (2013); 8 C.F.R. § 292.3(e). 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(2013); 8 C.F.R. § 292.3(e).

The Notice of Intent to Discipline proposes that the respondent be disbarred from practice before the DHS, and the Disciplinary Counsel for EOIR asks that we extend that discipline to practice before the Board and Immigration Courts as well. As the respondent failed to file a timely answer, the regulations direct us 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 (2013); 8 C.F.R. § 292.3(e).

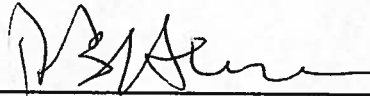
The proposed sanction is appropriate in light of the respondent's disbarment from the practice of law in New Mexico. We therefore will honor the proposed sanction. The respondent is currently under our February 19, 2015, order of suspension. We will deem the respondent's disbarment to have commenced on that date.

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

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 him.

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 (2013).

FURTHER ORDER: As the Board earlier imposed an immediate suspension order in this case, today's order of the Board becomes effective immediately. 8 C.F.R. § 1003.105(d)(2) (2013).

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

FOR THE BOARD