

Falls Church, Virginia 22041

File: D2007-334

Date: =

MAR 26 2008

In re: WILLIAM SHAW CARPENTER, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

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

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

ORDER:

PER CURIAM. The respondent will be suspended indefinitely from practice before the Board, Immigration Courts, and Department of Homeland Security (the "DHS").

On November 8, 2007, the Supreme Court of Iowa "prohibited [the respondent] from practicing law in the State of Iowa pending further order of this court." Consequently, on January 23, 2008, the DHS initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. On January 29, 2008, 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 February 12, 2008, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

The respondent was granted an extension of time to file an answer to the allegations in the Notice of Intent to Discipline until March 13, 2008. The respondent failed to file an answer to the allegations contained in the Notice of Intent to Discipline by that date. 8 C.F.R. §§ 1003.105(c)(1); 1292.3(e)(3)(ii). The respondent's failure to file a response within the time period prescribed in the Notice, as extended, 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)(3)(ii).

The Notice recommends that the respondent be suspended indefinitely from practice before the DHS. The Office of General Counsel of 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 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)(3)(ii). Since the recommendation is appropriate in light of the respondent being suspended in Iowa, we will honor it. Accordingly, we hereby suspend indefinitely the respondent from practice before the Board, the Immigration Courts, and the DHS.

As the respondent is currently under the Board's February 12, 2008, order of suspension, we will deem the respondent's indefinite 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 him. The respondent may seek reinstatement under appropriate circumstances. 8 C.F.R. § 1003.107(b).



FOR THE BOARD