

Falls Church, Virginia 22041

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File: D2015-0173

Date: OCT 08 2015

In re: RICHARD A. KASSEL, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF DHS: Catherine M. O'Connell, Disciplinary Counsel

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

ON BEHALF OF RESPONDENT: Sarah Diane McShea, Esquire

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

On July 16, 2015, the respondent was convicted, on the basis of a guilty plea, of a serious crime, namely, conspiracy to commit immigration fraud in violation of 18 U.S.C. § 371, in the United States District Court for the Southern District of New York. Consequently, on August 28, 2015, the Disciplinary Counsel for the DHS petitioned for the respondent's immediate suspension from practice before that agency. The Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) then asked that the respondent be similarly suspended from practice before the Board of Immigration Appeals and the Immigration Courts. We granted the petition for immediate suspension on September 11, 2015.

The respondent filed a timely answer to the allegations contained in the Notice of Intent to Discipline. 8 C.F.R. § 1003.105(c)(1). The respondent acknowledges that he is subject to discipline by the Board, and consents to his disbarment by the Board. The respondent also concedes that he was disbarred, by consent, by the District of Columbia Court of Appeals, on July 30, 2015, acknowledges that he was disbarred by operation of law in New York on April 15, 2015, and has consented to the entry of an order striking his name from the roll of attorneys in New York, and states that he has been suspended on an interim basis, on consent, in Connecticut, on June 25, 2015, and expects a final order of discipline by consent in Connecticut. As there is no material issue of fact in dispute, the Board will enter a final order of discipline in this case. The proposed sanction of disbarment is appropriate in light of the circumstances. Accordingly, the Board will honor that proposal. As the respondent is currently under our September 11, 2015, order of suspension, we will deem the respondent's disbarment to have commenced on that date.

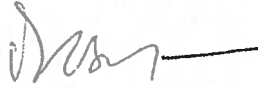
ORDER: The Board hereby disbars the respondent from practice before the Board, the Immigration Courts, and the DHS.

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.

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**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 be "J. M. ...", written above a horizontal line.

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FOR THE BOARD