

Falls Church, Virginia 20530

File: D2013-051

Date:

MAR 26 2014

In re: KEITH BURGESS LOSEY, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

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

ON BEHALF OF DHS: Diane H. Kier
Associate Legal Advisor

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

On January 23, 2013, the Supreme Court of Florida issued an order temporarily suspending the respondent from the practice of law in Florida. Consequently, on April 2, 2013, the Disciplinary Counsel for the Executive Office of Immigration Review (EOIR) petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. The Department of Homeland Security (DHS) then asked that the respondent be similarly suspended from practice before that agency. We granted the petition for immediate suspension on April 30, 2013.

Subsequently, on October 7, 2013, the Supreme Court of Florida issued a final order approving the Report of the Referee and permanently disbarring the respondent from the practice of law in Florida. On February 10, 2014, EOIR's Disciplinary Counsel filed a Notice of Intent to Discipline based on the action of the Florida Supreme Court. The DHS then filed a motion for reciprocal discipline.

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 (2013). 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 now is precluded from requesting a hearing on the matter. 8 C.F.R. § 1003.105 (2013).

The Notice proposes that the respondent be disbarred from practicing before the Board and the Immigration Courts. 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 (2013).

Because the proposed sanction is appropriate, in light of the respondent's permanent disbarment by the Supreme Court of Florida, the Board will honor that proposal. In addition, because we have already imposed an immediate suspension order in this case, the respondent's

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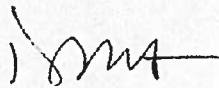
disbarment is effective immediately. Accordingly, the respondent is disbarred from practice before the Board, the Immigration Courts, and the DHS as of the date of this order.

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).



FOR THE BOARD