

**U.S. Department of Justice**  
Executive Office for Immigration Review

Decision of the Board of Immigration Appeals

Falls Church, Virginia 22041

---

---

File: D2006-181

Date:

=

**AUG 16 2007**

In re: CARLOS H. CACERES, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

ON BEHALF OF DHS: Eileen M. Connolly, Appellate Counsel

**AMENDED DECISION**

ORDER:

PER CURIAM. To correct an error in our original decision, the Board's order of August 15, 2007, in this matter is hereby vacated and the proceedings reinstated upon the Board's own motion. 8 C.F.R. § 1003.2(a). A final order in the matter is hereby issued as of this date, incorporating by reference the text of the attached vacated order, with the following exception: in the caption of the decision, the "PETITION FOR IMMEDIATE SUSPENSION" is hereby corrected to read, "FINAL ORDER OF SUSPENSION."

  
\_\_\_\_\_  
FOR THE BOARD

Falls Church, Virginia 22041

---

---

File: D2006-181

Date: **AUG 15 2007**

In re: CARLOS H. CACERES, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

PETITION FOR IMMEDIATE SUSPENSION

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

ON BEHALF OF DHS: Eileen M. Connolly, Appellate Counsel

ORDER:

PER CURIAM. On May 8, 2006, the respondent was disbarred from the practice of law by the Court of Appeals of Maryland.

Consequently, on November 30, 2006, the Office of General 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. On December 6, 2006, the Department of Homeland Security (the "DHS") asked that the respondent be similarly suspended from practice before that agency. Therefore, on December 13, 2006, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

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 recommends that the respondent be suspended indefinitely from practicing before the Board and the Immigration Courts. The DHS asks that we extend that discipline to practice before it as well. Because the respondent has failed to file an 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).

Since the recommendation for indefinite suspension is appropriate, given the respondent's disbarment in Maryland, we will honor that recommendation. Accordingly, we hereby suspend indefinitely the respondent from practice before the Board, the Immigration Courts, and the DHS. As the respondent is currently under our December 13, 2006, 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