

NOT FOR PUBLICATION

U.S. Department of Justice
Executive Office for Immigration Review
Board of Immigration Appeals

MATTER OF:

Owolabi M. SALIS, D2022-0211

Respondent

FILED

DEC 29 2025

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

ON BEHALF OF DHS: Amy S. Paulick, Disciplinary Counsel

IN PRACTITIONER DISCIPLINARY PROCEEDINGS
On Motion from a Decision of the Board of Immigration Appeals

Before: Malphrus, Chief Appellate Immigration Judge; Creppy, Appellate Immigration Judge;
Mullane, Appellate Immigration Judge

Opinion by Mullane, Appellate Immigration Judge

MULLANE, Appellate Immigration Judge

On October 27, 2023, we denied the motion to reconsider filed by the Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") and the Disciplinary Counsel for the Department of Homeland Security ("DHS"). At that time, the Disciplinary Counsels for EOIR and DHS were seeking reconsideration of our July 6, 2023, decision reopening the respondent's proceedings and vacating our February 28, 2023, final order of discipline. Our July 6, 2023, order granted reopening because the respondent established that there was a pending direct appeal from the New York order of disbarment, which provided the basis for these disciplinary proceedings.

On August 13, 2025, the Disciplinary Counsel for EOIR and the Disciplinary Counsel for DHS filed a motion to reinstate the final order of disbarment in the respondent's case. On August 25, 2025, the respondent filed a response in opposition to the motion. The Disciplinary Counsels' motion will be granted, and the respondent will be ordered disbarred from the practice of law before the Board of Immigration Appeals, the Immigration Courts, and DHS, effective December 21, 2022.

I. PROCEDURAL HISTORY

On November 29, 2022, the Supreme Court of the State of New York disbarred the respondent from the practice of law in New York, effective immediately. On December 12, 2022, the Disciplinary Counsel for EOIR and the Disciplinary Counsel for DHS jointly petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. We granted the petition on December 21, 2022.

On December 12, 2022, the Disciplinary Councils for EOIR and DHS also filed a Joint Notice of Intent to Discipline charging that the respondent is subject to summary disciplinary proceedings due to his disbarment in New York. 8 C.F.R. § 1003.103(b); 8 C.F.R. § 1003.102(e). The respondent opposed the imposition of discipline, but, after considering the respondent's objections, we sustained the charge in the Joint Notice of Intent to Discipline and issued an order on February 28, 2023, disbarring the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS.

On July 6, 2023, we vacated our February 28, 2023, order because the respondent established that he had filed a direct appeal from the November 29, 2022, order of disbarment issued by the Supreme Court of New York. In our July 6, 2023, order, we instructed the respondent to notify the Board when his appeal was resolved. The Disciplinary Councils for EOIR and DHS moved for reconsideration of our July 6, 2023, order, but we denied the motion. The respondent, however, remains suspended pursuant to our December 21, 2022, immediate suspension order.

II. ANALYSIS

The Disciplinary Councils for EOIR and DHS move for reinstatement of our final order of discipline in the respondent's case. The Disciplinary Councils assert that, on September 14, 2023, the Court of Appeals of New York dismissed the respondent's appeal from his November 29, 2022, disbarment order (Gov't Motion to Reinstate, Attachment 1). The Disciplinary Councils maintain that the respondent is, accordingly, subject to a final order of disbarment in New York, and they ask the Board to reinstate the final order of discipline based on the respondent's New York disbarment.

The Disciplinary Councils have established that the respondent is subject to a final order of disbarment in New York (Gov't Motion to Reinstate, Attachment 1; Petition for Immediate Suspension, Attachment 1). *See also Matter of Salis*, 212 A.D.3d 7 (N.Y. App. Div. 2022); *Matter of Salis*, 281 N.E.3d 146 (N.Y. 2023); *Matter of Salis*, 224 N.E.3d 1049 (N.Y. 2023) (denying motion for re-argument). The respondent has not presented evidence to the contrary in his response to the Disciplinary Councils' motion (Respondent's Response) (unpaginated). The respondent also does not request a hearing in his response to the Disciplinary Councils' motion (Respondent's Response) (unpaginated). The respondent accordingly has waived the opportunity to request a hearing. 8 C.F.R. § 1003.105(c)(3).

In summary disciplinary proceedings based on a final order of disbarment in another jurisdiction, a certified copy of the order of disbarment from that jurisdiction "shall establish a rebuttable presumption of the professional misconduct." 8 C.F.R. § 1003.103(b)(2). Disciplinary sanctions shall follow in such a proceeding unless the attorney can rebut the presumption by demonstrating, through clear and convincing evidence, that (i) the underlying disciplinary proceeding was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; (ii) there was such an infirmity of proof establishing the attorney's professional misconduct as to give rise to the clear conviction that the adjudicating official could not, consistent with his or her duty, accept as final the conclusion on that subject; or (iii) the imposition of discipline by the adjudicating official would result in grave injustice.

8 C.F.R. § 1003.103(b)(2). The respondent has not rebutted the presumption of professional misconduct in this case.

The respondent raises multiple allegations of improprieties in his criminal and disciplinary proceedings in New York (Respondent's Response) (unpaginated). The allegations regarding his criminal proceedings are not relevant in this matter. The respondent's allegations regarding his New York disciplinary proceedings either duplicate or expand upon allegations he made in prior filings (Respondent's Opposition, filed 1/27/2023; Respondent's Motion to Set Aside, filed 1/6/2023). We thoroughly considered the respondent's allegations regarding his New York proceedings in rendering our February 28, 2023, final order of discipline. The respondent's new allegations do not alter our conclusion. The respondent's arguments and documents do not constitute clear and convincing proof that the New York disciplinary proceeding was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process. The evidence also does not constitute clear and convincing proof that there was such an infirmity of proof in the New York proceeding establishing the respondent's professional misconduct as to give rise to the clear conviction that the adjudicating official could not, consistent with his or her duty, accept as final the conclusion on that subject. Finally, the respondent has not established that the imposition of discipline will result in grave injustice.

The evidence of record establishes that there was a basis for disciplinary proceedings in New York. The respondent asserts that the referee, the judges, and the disciplinary counsel involved in his New York proceedings either were biased or engaged in various types of misconduct, but the documents he has submitted from his New York disciplinary proceedings do not support his assertions. Further, the respondent has filed more than one appeal from the November 29, 2022, disbarment order of the Supreme Court of New York and at least one motion for re-argument. None of the respondent's attempts to overturn his New York disbarment have been successful. *See, e.g., Matter of Salis*, 281 N.E.3d 146 (N.Y. 2023); *Matter of Salis*, 224 N.E.3d 1049 (N.Y. 2023) (denying motion for re-argument). The respondent also has filed multiple lawsuits against the officials involved in his criminal and disciplinary proceedings, but he has not offered evidence demonstrating that any of his allegations of wrongdoing have been sustained by a court.

Based on the foregoing, the respondent has not overcome the presumption that discipline should be imposed in this proceeding. 8 C.F.R. § 1003.103(b). We accordingly sustain the charge in the Joint Notice of Intent to Discipline.

The Joint Notice of Intent to Discipline proposes the respondent be disbarred from practicing before the Board of Immigration Appeals, the Immigration Courts, and DHS, effective December 21, 2022. The proposed sanction is appropriate in light of the respondent's disbarment in New York. We therefore will honor the proposed discipline and will order the respondent disbarred from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS.

ORDER: The Board hereby disbars the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS, effective December 21, 2022.

FURTHER ORDER: The respondent must maintain compliance with the directives set forth in our prior order. The respondent must notify the Board of any further disciplinary action against him.

FURTHER ORDER: The contents of the order shall be made available to the public, including at the Immigration Courts and appropriate offices of the DHS.

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, the Immigration Courts, and the DHS under 8 C.F.R. § 1003.107.