

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF Nazanin Malekalketab Nasri

VSB DOCKET NO. 08-000-074900

ORDER OF REVOCATION

THIS MATTER came before the Virginia State Bar Disciplinary Board (Board) for hearing on August 28, 2008, upon the Virginia State Bar (VSB) having been notified that the Respondent, Nazanin Malekalketab Nasri, (Ms. Nasri or Respondent) had pled guilty to a crime, and a Rule to Show Cause and Order of Suspension and Hearing (Show Cause) having been served on the Respondent on April 29, 2008 and certified notice of same having been sent by the Clerk of the Disciplinary System to the Respondent on April 29, 2008, all pursuant to Part 6, Section IV, Paragraph 13.1.5.b of the Rules of the Supreme Court of Virginia.

A panel was duly convened to hear this matter, such panel consisting of Thomas R. Scott, Acting Chair, presiding; lay member Rev. Ray Inscoe and lawyer members Roscoe Stephenson III, Nancy C. Dickenson and Martha JP McQuade. The Virginia State Bar (VSB) was represented by Assistant Bar Counsel Richard Slaney (Mr. Slaney). Respondent appeared and was not represented by counsel. The proceedings were recorded and reported by Donna Chandler, Chandler & Halasz, P.O. Box 9349, Richmond, Virginia, 23227, telephone number (804) 730-1222, after she was duly sworn by the Chair.

The Chair opened the hearing by polling the Board members to ascertain whether any of them had any personal or financial interest or bias which would interfere with or influence his or her determination, and each member responded that there were no such conflicts.

The Chair explained that, pursuant to Part 6, Section IV, Paragraph 13.1.5.b of the Rules of the Supreme Court of Virginia, if the Board were to find that the Respondent has been found guilty or convicted of a crime by a judge or jury, pled guilty or entered a plea wherein the facts found by a court would justify a finding of guilt, an Order would be entered either continuing the Respondent's Suspension for a period not in excess of five years or revoking Respondent's license to practice law in the Commonwealth of Virginia.

The Chairman admitted into evidence, without objection, the Show Cause and all attachments including the Judgment Order from the United States District Court of the Eastern District of Virginia, Alexandria Division, which showed that Respondent had pled guilty to conspiracy to commit immigration fraud, a felony under 18 U.S.C. 371 and 1546 (a) and was sentenced on July 11, 2008.

The Board found by clear and convincing evidence, that the Respondent pled guilty to a crime, and pursuant to Part 6, Section IV, Paragraph 13.1.5.b of the Rules of the Supreme Court of Virginia, that her license to practice law in the Commonwealth of Virginia should be suspended for a period not in excess of five years or revoked.

The Board thereafter received evidence of aggravation and mitigation. The Respondent's prior disciplinary record reflected no prior disciplinary action. Mr. Slaney

introduced, without objection, Bar Exhibits 1-7 which established, among other things, that Respondent was sentenced to a term of imprisonment of two months by the United States District Court in connection with Respondent's conviction described above. Ms. Nasri testified that, as a part of her sentencing, she was also ordered into counseling. The Board also considered a number of letters in support of the Respondent, which had also been introduced at the Respondent's sentencing hearing in the criminal matter. The Respondent presented the testimony of a fellow Immigration attorney and former employer, Robert M. Price, who testified as to the large number of persons she had provided legal services to in the past, and that he was surprised to learn of the charges against Ms. Nasri, and that he felt she was very remorseful and had suffered a great deal already from her mistakes. Ms. Nasri testified, however, that she felt she was saving lives by getting people out of Iran and that no one has been hurt by her actions except herself.

DISPOSITION:

After due deliberation in closed session, the Board reconvened to announce the sanction imposed. The Board believes that the appropriate sanction to protect the public and the integrity of the Bar is the revocation of the Respondent's license, based on the criminal conduct involving a fraud on the court. The Chair announced the Board's decision that Ms. Nasri's license to practice law in the Commonwealth of Virginia shall and hereby is revoked effective April 29, 2008.

Accordingly, and in conformance with the Board's August 22, 2008 decision in this matter, it is:

ORDERED that the Respondent's license to practice law in the Commonwealth of Virginia be and hereby is REVOKED effective April 29, 2008.

It is FURTHER ORDERED that the Respondent comply with the requirements of Part 6, Section IV, Paragraph 13(M) of the Rules of the Supreme Court of Virginia. She shall forthwith give notice of the revocation of her license to practice law in the Commonwealth of Virginia, by certified mail, return receipt requested, to all clients for whom she is handling matters and to all opposing attorneys and presiding judges in pending litigation. She shall also make appropriate arrangements for the disposition of matters currently in her care in conformity with the wishes of each client. She shall give such notice within fourteen (14) days of the effective date of the revocation and make such arrangements as are required within forty-five (45) days of the effective date of revocation. Within sixty (60) days of the effective date of the revocation, she shall also furnish proof to the Bar that such notices have been timely given and such arrangements made for the disposition of matters. If the Respondent is not handling any client matters on the effective date of her revocation, she must submit an affidavit to that effect to the Clerk of the Disciplinary System.

It is FURTHER ORDERED that all issues concerning the adequacy of the notice and arrangements required by Paragraph 13(M) shall be determined by the Board, unless the Respondent makes a timely request for hearing before a three-judge court.

It is FURTHER ORDERED that the Respondent's license shall not be reinstated unless and until the Respondent shall have fully complied with the provisions of Part 6, Section IV, Paragraph 13.1.8.b of the Rules of the Supreme Court.

It is FURTHER ORDERED that pursuant to Part 6, Section IV, Paragraph 13.B.8(c) of the Rules, the Clerk of the Disciplinary System shall assess all costs in this matter against the Respondent; and

The Clerk of the Disciplinary System shall mail an attested copy of this Order, by certified mail, to the Respondent, Nazanin Malekalketab Nasri, Suite 103, 2000 North 15th Street, Arlington, VA 22201 and shall also hand deliver a copy to Richard Slaney, Assistant Bar Counsel, Virginia State Bar, 707 East Main Street, Suite 1500, Richmond, Virginia 23219-2800.

ENTERED THIS 17th DAY OF September, 2008.

VIRGINIA STATE BAR DISCIPLINARY BOARD

Thomas R. Scott
Thomas R. Scott, Acting Chair

DEVELOPER