



**Mondesir/Johnson**

**2022-D025**

2. On November 16, 2021, Randolph Job, a permanent resident, was detained by Immigration Customs and Enforcement (ICE).

3. The next day, Kimberly Johnson, Mr. Job's fiancée, now wife, scheduled a zoom consultation with Respondent to discuss Mr. Job's immigration case. Ms. Johnson paid \$100.00 for the consultation.

4. Respondent told Ms. Johnson the flat fee was \$6,000. Ms. Johnson understood the fee was to assist Mr. Job with his adjustment of status. The fee was paid overtime in installments.

5. Respondent did not provide Ms. Johnson with a retainer agreement for the representation.

6. On November 29, 2021, Respondent filed a motion for bond on behalf of Mr. Job. Respondent listed a different client's name in the first paragraph of the motion and made several other mistakes in the filing.

7. On December 7, 2021, Mr. Job had his bond hearing.

8. During the bond hearing and on the record, Respondent incorrectly conceded that Mr. Job was removable and ineligible for bond. As a result, the immigration judge denied bond because Mr. Job was subject to mandatory detention.

9. The matter proceeded to be scheduled for a removal hearing which was scheduled on January 19, 2022.

10. Immigration Court advised both parties that all pleadings should be filed by January 12, 2022, to be considered.

11. Respondent filed the pleadings late and did not notify Ms. Johnson or Mr. Job. Respondent did not provide Ms. Johnson or Mr. Job with copies of the filings.

12. On November 17, 2021, Ms. Johnson paid Respondent \$500 via Square.

13. On November 23, 2021, Respondent entered her appearance in Mr. Job's removal case.

14. On November 28, 2021, Ms. Johnson paid Respondent \$1,000.

15. On November 18, 2021, Mr. Job's sister paid \$1,000 towards Mr. Job's case with Respondent's firm.

16. On December 8, 2021, Respondent told Ms. Johnson by email that her fees must be paid by January 12, 2022 or she will withdraw from the case.

17. On December 8, 2021, the court mailed a notice to Respondent advising that the January 19, 2022 hearing would be conducted remotely via Webex.

18. On December 10, 2021, Ms. Johnson paid \$1,750 via Square to Respondent. Ms. Johnson also requested that Respondent visit Mr. Job because he wanted to discuss his case.

19. On December 10, 2021, Ms. Johnson asked Respondent for an itemized accounting. Respondent did not provide it.

20. On January 7, 2022, Ms. Johnson made a payment of \$1,750 by transferring funds to Respondent's trust account at Bank of America.

21. On January 14, 2022, Respondent asked for \$350 for filing fees which Ms. Johnson paid her on that date by making a deposit of \$350 into Respondent's trust account.

22. On January 18, 2022, Respondent requested \$930.00 to file a 212(c) waiver in Mr. Job's case. Ms. Johnson made this payment to Respondent. This payment was separate from the initial retainer.

23. On this same day, Respondent filed a cancellation of removal application that was incomplete. Mr. Job had been convicted of crimes that amounted to aggravated felonies for immigration purposes; these precluded the relief sought through this application.

24. On January 19, 2022, Respondent advised the court that she “didn’t know how to get Webex.” Respondent did not communicate with Ms. Johnson or Mr. Job before the hearing. Ms. Johnson was unaware of the Webex notice and appeared in person for the hearing.

25. On January 19, 2022, Mr. Job had his merits hearing. Respondent did not prepare Mr. Job prior to the hearing.

26. Respondent attended and the Judge admonished her for filing her pleadings late.

27. Respondent responded by accusing the judge—a former prosecutor—of being a “racist” and a “bigot,” claiming that the court ruled for the government because of the judge’s background.

28. On January 21, 2022, Ms. Johnson terminated Respondent’s services.

29. Respondent refused to return any of the legal fees.

30. On January 25, 2022, Respondent filed a motion to withdraw and stated that the client was non-cooperative, that Respondent devoted an “excessive amount of time and resources” to his matter, and that the client had refused to replenish the funds. In her motion, Respondent included the wrong client’s name, A-number and date on the cover page.

31. Respondent did not notify Ms. Johnson or Mr. Job that she filed a motion to withdraw from the case.

32. On January 27, 2022, an Immigration judge granted Respondent's withdrawal motion. Respondent did not notify Mr. Job or Ms. Johnson.

33. On January 27, 2022, Ms. Johnson filed a disciplinary complaint with our office.

34. On February 3, 2022, Ms. Johnson hired Eric Singer as successor counsel for Mr. Job's case. Mr. Singer filed a motion to dismiss the drug charge against Mr. Job and to withdraw the concession made by Respondent in which she erroneously conceded to a charge that rendered Mr. Job ineligible for bond and removable.

35. On February 11, 2022, Respondent filed for bankruptcy. Although Respondent told Ms. Johnson the flat fee for Mr. Job's case would be \$6,000, and despite receiving \$6,930 in fees, she listed Ms. Johnson and Mr. Job as creditors with a debt of \$5,200.

36. On March 3, 2022, the immigration judge granted the motion to withdraw the concession made by Respondent while she was Mr. Job's counsel.

37. On March 11, 2022, the judge granted the motion to dismiss the drug charge.

38. On March 11, 2022, Respondent sent Ms. Johnson a demand letter for payment and included an itemized statement of accounting.

39. When Disciplinary Counsel asked Respondent to produce records accounting for the legal fees she received, Respondent was unable to produce such records. Respondent only produced receipts for payments.

40. Ms. Johnson filed a claim with the D.C. Bar's Attorney Client Arbitration Board.

41. On October 17, 2022, Respondent provided an itemized accounting to the DC Bar in response to the ACAB investigation that misrepresented the correct amounts and charges. The fabricated accounting was different from the itemized accounting she sent to Ms. Johnson in March 2022.

42. On August 14, 2023, Respondent filed for bankruptcy a second time and again listed Ms. Johnson and Mr. Job as creditors.

43. On September 7, 2023, the ACAB proceedings were dismissed without prejudice as a result of the automatic stay imposed by the Bankruptcy Court.

44. In 2025, Respondent sent Ms. Johnson an email communication with the title "CEASE AND DESIST DEMAND & Warning - 5 Days to Comply - Intent to Sue". Respondent accused Ms. Johnson of posting comments about Respondent

on social platforms. Ms. Johnson understood that Respondent was trying to intimidate her for filing a disciplinary complaint.

45. Respondent's conduct in the 2023-D025 matter violated the following provisions of the Executive Office for Immigration Review professional conduct rules (8 CFR § 1003.102 "Grounds"), made applicable by D.C. Rule 8.5(b)(1):

- a. §1003.102(o) in that she failed to provide competent representation to the client;
- b. §1003.102(q)(2) in that she failed to act with reasonable promptness in her representation of the clients; and
- c. §1003.102(r)(2) in that she failed to reasonably consult with the client to ensure adequate preparation of his case and compliance with applicable deadlines.

46. Respondent's conduct in the 2022-D025 matter also violated the following District of Columbia Rules of Professional Conduct:

- a. Rule 1.3(b)(2), in that Respondent intentionally prejudiced the client during the course of the professional relationship;
- b. Rule 1.5(b) in that he failed to provide the clients with a written fee agreement;

- c. Rule 1.5(a), in that Respondent charged an unreasonable fee to the client;
- d. Rule 1.15(a), in that Respondent failed to maintain complete financial records
- e. Rule 1.16(d), in that Respondent failed to take timely steps to protect her client's interests by returning unearned fees; and
- f. Rule 8.4(c), in that Respondent engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.
- g. Rule 8.4(d), in that Respondent engaged in conduct that seriously interferes with the administration of justice.

**Mondesir/Baatar**  
**2022-D069**

47. Munkhnyam Baatar is a citizen of Mongolia. In 2009, Ms. Baatar entered the United States as a non-immigrant worker with an H-1B visa. She became a lawful permanent resident two years later.

48. On October 16, 2018, Ms. Baatar filed an application to be naturalized as a U.S. citizen.

49. On September 16, 2019, USCIS issued a Notice to Appear (NTA) and placed Ms. Baatar in removal proceedings.

50. On February 13, 2020, Ms. Baatar filed a motion to terminate removal proceedings and appeared in Court on March 5, 2020.

51. In March 2020, Ms. Baatar retained Respondent for her immigration matter.

52. On March 13, 2020, Respondent provided Ms. Baatar a retainer agreement and set the scope of representation as “detailed review of employment-based case re: Defensive Legal Relief Representation with EOIR.” Respondent set the fee at \$350 per hour for an estimate of 3-4 hours. The retainer required a payment of \$1,050.

53. On March 13, 2020, Ms. Baatar paid Respondent the advance fees of \$1,050 in full.

54. On April 29, 2020, USCIS administratively closed the naturalization application filed by Ms. Baatar.

55. On May 1, 2020, Respondent presented Ms. Baatar with a second retainer with different Legal Services categories:

A. Preparation and Submission of Complex Brief and Entry of Appearance into Defensive Removal Case.” The fee was set at \$5,700.

- B. Preparation of Sworn Declaration Statement in Support of Legal Defense: Fee included
- C. Future Possible Service: Attend Individual Trial Hearing: Fee to be determined.
- D. Expenses: \$300

The Total Legal Fee and Expense amount \$6,000- \$1,050 from first retainer = \$4,950.

56. On May 1, 2020, Baatar paid the additional legal fee of \$4,950 in full.

57. On May 11, 2020, an associate at Respondent's firm filed a brief in Ms. Baatar's case.

58. On October 27, 2020, Respondent provided Ms. Baatar with a Retainer Addendum describing additional services, "Extensive Prehearing Preparation and Requirements." The fee was set at \$2,835.

59. On October 28, 2020, Ms. Baatar paid Respondent \$2,835 in full.

60. On March 25, 2021, Respondent charged Ms. Baatar \$750 to process an I-90 renewal.

61. On May 17, 2021, the motion to substitute counsel was granted.

62. On September 27, 2021, Respondent charged Ms. Baatar an additional \$3,500 to file an I-130 family petition, and an I-485 adjustment of status petition.

63. On September 27, 2021, Ms. Baatar paid \$3,500 in full and the fees were deposited to an account maintained by her father, Gilbert Scott, in the name of Tech World.

64. In response to Disciplinary Counsel's inquiry, Respondent falsely claimed that Ms. Baatar had consented to have her payment processed through a third party. Respondent provided a form to Disciplinary Counsel purporting to be Ms. Baatar's agreement to the transaction.

65. But Ms. Baatar was unaware that Respondent processed the payment through a third party. Ms. Baatar did not sign any form authorizing this arrangement.

66. On September 28, 2021, Mr. Scott transferred \$3,334—only part of Ms. Baatar's payment--from his Tech World account to Respondent's trust account. Mr. Scott withheld \$166 as a "processing fee."

67. Ms. Baatar did not agree to have her funds sent to Mr. Scott for electronic processing, contrary to what Respondent says.

68. Ms. Baatar also did not consent to have \$166.00 of her funds used to pay the processing fee, and Respondent did not credit these funds into her IOLTA account.

69. On November 22, 2021, the immigration judge denied Ms. Baatar's motion to terminate and found her removable from the United States.

70. On December 2, 2021, Respondent charged Ms. Baatar \$3,000 to file an appeal to the BIA.

71. Ms. Baatar paid the legal fee in full by credit card.

72. Respondent provided Disciplinary Counsel a screenshot of the \$3,000 payment. The payment was processed through Respondent's B & E Capital Law Group bank account.

73. On December 2, 2021, Ms. Baatar noticed a double charge on her credit card statement, which showed two \$3,000 charges to her account rather than one.

74. On December 7, 2021, Ms. Baatar contacted Respondent about the double charge.

75. When she did not receive any response from Respondent or her office, Ms. Baatar disputed the double charge with her bank. She received a refund from her bank for \$3,000.

76. On January 3, 2022, Respondent communicated with Ms. Baatar via email and stated:

“You were clearly informed that our firm did not receive DUPLICATE Charges. Yet you filed a dispute with Square. I am no longer your attorney find new representation.”

77. Respondent refused to assist Ms. Baatar regarding the double payment and stopped representing her.

78. Respondent advised Ms. Baatar that she had received a notice from the Immigration Court but would not disclose the contents of the notice to Ms. Baatar.

79. When Disciplinary Counsel asked Respondent to produce records accounting for the legal fees she received, Respondent was unable to produce such records. Respondent only produced a billing accounting that was created in response to Disciplinary Counsel's inquiry.

80. Respondent billing reflected 5.2 hours for work done on the Baatar matter from March 25 to April 24, 2020. The billing statement does not reflect any other work done.

81. Respondent did not file an appeal or an appeal brief on behalf of Baatar.

82. Ms. Baatar paid Respondent a total of \$13,085.00 in fees for 5.2 hours of work as detailed by Respondent's bill.

83. On March 31, 2022, Ms. Baatar filed a disciplinary complaint against Respondent.

84. As part of its investigation, Disciplinary Counsel subpoenaed and reviewed bank records. Respondent had a number of accounts open that included a trust account, an operating account and personal accounts.

85. Disciplinary Counsel also subpoenaed Respondent's own records for the period of the representations.

86. Respondent did not maintain complete contemporaneous financial records.

87. The bank records and the information that Respondent provided during the investigation showed that Respondent failed to maintain complete records of the funds she deposited in and withdrew from the operating account (into which she deposited entrusted funds) between January 1, 2020 and December 31, 2023.

88. Respondent had client payments processed through the business accounts held by her husband, Terry Evans, and her father, Gilbert Scott. The bank records reflect that after client funds were deposited into one of these accounts, some but not all the funds were then transferred to Respondent's Bank of America IOLTA account ending in 5130.

89. Client funds deposited from Respondent's clients in Gilbert Scott's account were no longer in Respondent's control.

90. Respondent is not a signatory in Terry Evans' account.

91. Respondent is not a signatory in Gilbert Scott's account.

92. Gilbert Scott and Terry Evans are not attorneys or associated with Respondent's law firm.

93. Respondent's conduct in the 2022-D069 matter violated the following provisions of the Executive Office for Immigration Review professional conduct rules (8 CFR § 1003.102 "Grounds"), made applicable by D.C. Rule 8.5(b)(1):

- a. §1003.102(o) in that she failed to provide competent representation to the client;
- b. §1003.102(q)(2) in that she failed to act with reasonable promptness in her representation of the client; and
- c. §1003.102(r)(2) in that she failed to reasonably consult with the client to ensure adequate preparation of her case.

94. Respondent's conduct in the 2022-D069 matter also violated the following District of Columbia Rules of Professional Conduct:

- a. Rule 1.3(b)(2), in that Respondent intentionally prejudiced the client during the course of the professional relationship
- b. Rule 1.5(a), in that Respondent charged an unreasonable fee to the client.
- c. Rule 1.15(a), (b) and (e), in that Respondent failed to maintain complete financial records, failed to hold advances of unearned fees and unincurred costs that were in her possession in connection with a representation separate from her own funds as well as third parties,

failed to obtain informed consent from the client to a different arrangement and engaged in the intentional misappropriation of client funds;

- d. Rule 1.16(d), in that Respondent failed to take timely steps to protect her client's interests by surrendering papers and property to which the client is entitled; and returning unearned fees and abandoning her client; and
- e. Rule 8.1(a), in that Respondent made a false statement of fact in connection with a disciplinary matter, and
- f. Rule 8.4(c), in that Respondent engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

**Mondesir/Lopez**

**2022-D153**

95. On December 21, 2020, Laura Lopez retained Respondent to assist her sister Graciela Acevedo with a visitor visa to come to the U.S. from El Salvador to help her take care of Ms. Lopez's husband who had lapsed into a coma after contracting COVID.

96. Ms. Lopez does not speak English.

97. On December 21, 2020, Ms. Lopez signed a retainer agreement that stated the scope of the representation was “Preparation and Representation of B1/B2 Visitor Visa: \$1,800.” The retainer also included a charge of \$300 for “expenses”.

98. On December 29, 2020, Respondent mailed a letter to Ms. Lopez advising her that she was the attorney working on her case and to forward documentation needed to start the petition.

99. Ms. Lopez made several payments during the month of December 2020, and by the end of the month, had paid the fee in full.

12/21/2020-\$400 cash

12/23/2020-\$500 via Zelle

12/26/2020-\$500 via Zelle

12/28/2020-500 via Zelle

12/29/2020-\$200 via Zelle

100. The payments were deposited in Respondent’s checking account ending in 2830.

101. Respondent immediately transferred the funds to her trust account.

102. By October 2021, the balance in the trust account had dropped to \$588.27.

103. Respondent assigned this case to another attorney, Sharon Alexander, without advising Ms. Lopez.

104. Sharon Alexander is not a member of the D.C. Bar.

105. Beginning in January 2021, Ms. Lopez became concerned when she did not hear back from Respondent's firm regarding her sister's matter.

106. Ms. Lopez made several calls to the firm between January and October 2021.

107. Ms. Lopez visited the address of the firm and was not able to meet with Respondent. A staff member provided her with Ms. Alexander's phone number.

108. Around March or April 2021, Respondent's office advised Ms. Lopez to pay the MRV fee online and schedule a tourist visa on her own.

109. Ms. Lopez went online but did not find any options that addressed tourist visas. Ms. Lopez was unable to schedule an appointment and immediately notified Respondent.

110. Ms. Lopez left several voicemails for Respondent. Her calls were not returned.

111. Respondent did not assist Ms. Lopez or respond to her questions about how to obtain a tourist visa interview.

112. Ms. Lopez was confused about whether the application was for a humanitarian visa or a tourist visa.

113. Respondent incorrectly stated to Ms. Lopez that “humanitarian consideration” is only available to “immediate family members.”

114. Neither Respondent nor her firm filed an application for Ms. Lopez or her sister.

115. The object of the representation was to submit a request to the Consulate in El Salvador for an expedited interview for a B1/B2 visa. Respondent failed to complete this task.

116. Ms. Lopez attempted to reach Respondent to get a refund, but Respondent failed to provide one or account for the fees she was paid.

117. Ms. Lopez did not receive any benefit for the fees she paid in 2020.

118. In August 2022, Ms. Lopez filed a disciplinary complaint.

119. When Disciplinary Counsel asked Respondent to produce records accounting for the legal fees she received, Respondent was unable to produce such records. Respondent only produced a chronology of payments made by Ms. Lopez.

120. Once the investigation was ongoing, sometime in early 2025, Respondent sent Ms. Lopez a check for \$1,800 as a refund of her fees.

121. Respondent stated that her husband loaned her the money to pay Ms. Lopez her refund.

122. Respondent's conduct in the 2022-D153 matter violated the following provisions of the Executive Office for Immigration Review professional conduct rules (8 CFR § 1003.102 "Grounds"), made applicable by D.C. Rule 8.5(b)(1):

- a. §1003.102(o) in that she failed to provide competent representation to the client,
- b. §1003.102(q)(2) in that she failed to act with reasonable promptness in her representation of the client; and
- c. §1003.102(r)(2) in that she failed to reasonably consult with the client to ensure adequate preparation of the case and compliance with applicable deadlines.

123. Respondent's conduct in the 2022-D153 matter also violated the following District of Columbia Rules of Professional Conduct:

- a. Rule 1.3(b)(2), in that Respondent intentionally prejudiced the client during the course of the professional relationship.
- b. Rule 1.4(a) and (b), in that Respondent failed to keep the client informed and failed to promptly comply with reasonable requests for information and failed to explain matters to the extent reasonably

necessary to permit her clients to make informed decisions regarding the representation.

- c. Rule 1.5(a), in that Respondent charged an unreasonable fee to the client.
- d. Rule 1.15(a), in that Respondent failed to maintain complete financial records and she intentionally misappropriated client funds, and
- e. Rule 1.16(d), in that Respondent failed to take timely steps to protect her client's interests by surrendering papers and property to which the client is entitled; and returning unearned fees.

Respectfully submitted,

*Hamilton P. Fox, III*

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Hamilton P. Fox, III  
Disciplinary Counsel  
Bar Number: 113050

*Caroll G. Donayre*

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Caroll G. Donayre  
Assistant Disciplinary Counsel  
Bar Number: 1029477

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**VERIFICATION**

I declare under penalty of perjury under the laws of the United States of America that I verily believe the facts stated in the Specification of Charges to be true and correct.

Executed on this 29th day of September 2025.

*Caroll G. Donayre*

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Caroll G. Donayre  
Assistant Disciplinary Counsel



D. **Procedures**

(1) **Referral to Hearing Committee** – When the Board receives the Petition Instituting Formal Disciplinary Proceedings, the Board shall refer it to a Hearing Committee.

(2) **Filing Answer** – Respondent must respond to the Specification of Charges by filing an answer with the Board and by serving a copy on the Office of Disciplinary Counsel within 20 days of the date of service of this Petition, unless the time is extended by the Chair of the Hearing Committee. Permission to file an answer after the 20-day period may be granted by the Chair of the Hearing Committee if the failure to file an answer was attributable to mistake, inadvertence, surprise, or excusable neglect. If a limiting date occurs on a Saturday, Sunday, or official holiday in the District of Columbia, the time for submission will be extended to the next business day. Any motion to extend the time to file an answer, and/or any other motion filed with the Board or Hearing Committee Chair, must be served on the Office of Disciplinary Counsel at the address shown on the last page of this petition.

(3) **Content of Answer** – The answer may be a denial, a statement in exculpation, or a statement in mitigation of the alleged misconduct. Any charges not answered by Respondent may be deemed established as provided in Board Rule 7.7.

(4) **Mitigation** – Respondent has the right to present evidence in mitigation to the Hearing Committee regardless of whether the substantive allegations of the Specification of Charges are admitted or denied.

(5) **Process** – Respondent is entitled to fifteen days’ notice of the time and place of hearing, to be represented by counsel, to cross-examine witnesses, and to present evidence.

E. In addition to the procedures contained in D.C. Bar R. XI, the Board has promulgated Board Rules relating to procedures and the admission of evidence which are applicable to these procedures. A copy of these rules is being provided to Respondent with a copy of this Petition.

**WHEREFORE**, the Office of Disciplinary Counsel requests that the Board consider whether the conduct of Respondent violated the District of Columbia Rules of Professional Conduct, and, if so, that it impose/recommend appropriate discipline.

*Hamilton P. Fox III*

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