

**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS**

**IN THE MATTER OF
YALI HUANG
STATE BAR CARD NO. 00795433**

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CAUSE NO. 40220

INTERLOCUTORY ORDER OF SUSPENSION

On the 18th day of January 2008, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline of the State Bar of Texas appeared by Assistant Disciplinary Counsel and announced ready. Respondent, Yali Huang, although duly cited to appear and having been notified of the hearing, failed to answer or appear and wholly made default. All issues of fact as well as all questions of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, Yali Huang, State Bar Card Number 00795433, is currently licensed in Texas but is administratively suspended for failure to pay State Bar dues and the Texas Attorney Occupation Tax and, therefore, is not authorized to practice law in the State of Texas.
- (2) On or about July 18, 2007, a Judgment in a Criminal Case was signed in Case Number 4:05CR00392-004 styled *United States of America Vs. Yali Huang*, in the United States District Court for the Southern District of Texas, Houston Division, finding the Respondent guilty of: (1SS) Conspiracy to commit visa fraud and induce, encourage aliens to enter and reside in the United States for commercial advantage and private financial gain in violation of 18 U.S.C. § 371; (2SS) Visa fraud, aiding and abetting in violation of 18 U.S.C §§ 1546(a) and 2; (3SS) Visa fraud, aiding and abetting in violation of 18 U.S.C §§

1546(a) and 2; (4SS) Visa fraud, aiding and abetting in violation of 18 U.S.C §§ 1546(a) and 2; and (5SS) Visa fraud, aiding and abetting in violation of 18 U.S.C §§ 1546(a) and 2. Respondent was sentenced to be imprisoned for a term of fifty-one (51) months as to each count, to run concurrently. The Respondent was additionally ordered to serve supervised release after being released from prison for a term of three (3) years. Respondent was also ordered to pay a fine in the amount of \$10,000.00 and an assessment of \$500.00.

- (3) Respondent, Yali Huang, is same person as the Yali Huang, who is the subject of the Judgment described above.
- (4) Respondent has appealed the criminal conviction.
- (5) Respondent was personally served with the First Amended Petition for Compulsory Discipline and hearing notice by a Tarrant County Deputy Constable on October 17, 2007.
- (6) The officer's return of service affidavit was filed with the Board October 25, 2007, and has been on file more than 10 (ten) days before the date of this hearing.
- (7) Respondent's criminal sentence is not fully probated.

Conclusions of Law. Based upon the foregoing findings of facts the Board of Disciplinary

Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Rule 7.08(G), Texas Rules of Disciplinary Procedure ("TRDP").
- (2) Respondent, having been convicted of conspiracy to commit visa fraud and visa fraud (including aiding and abetting) has been convicted of Intentional Crimes as defined by TRDP 1.06(T).
- (3) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(Z).
- (4) Having been found guilty and convicted of Intentional and Serious Crimes and having appealed such conviction, Respondent, Yali Huang, should have her license to practice law in Texas suspended during the appeal of her criminal conviction. TRDP 8.04.
- (5) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

It is, accordingly, ORDERED, ADJUDGED, and DECREED that Respondent, Yali Huang, State Bar Card No.00795433, is hereby SUSPENDED from the practice of law in the State of Texas effective immediately upon entry of this order and continuing hereafter until further order of this Board.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Yali Huang, during said suspension is hereby prohibited, effective immediately, from practicing law in Texas, holding herself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services not completed before the date of this order, appearing as counsel in any proceeding in any Texas court or before any Texas administrative body, or holding herself out to others or using her name, in any manner, in conjunction with the words “attorney,” “counselor,” or “lawyer.”

It is further ORDERED that Respondent, Yali Huang, shall notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Yali Huang, has any legal matter pending, if any, of her suspension, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Yali Huang, shall immediately notify each of her current clients, if any, in writing, of her suspension. In addition to such notification, Respondent is

ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in her possession but which belong to current or former clients, if any, to those respective clients or former clients within thirty (30) days after the date of this Order. Respondent is further ORDERED to file with the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating either (a) that all current clients have been notified of her suspension and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein or (b) that Respondent has no current clients, files, or papers, and that any unearned fees paid in advance or other monies or properties belonging to clients have previously been returned to the appropriate client. If Respondent is unable to return any file, papers, money or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of her inability to return to said client any file, paper, money or other property. Respondent is also ORDERED to mail a copies of all notification letters to clients to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Yali Huang, immediately surrender her Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further ORDERED that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Order, be sent to the Chief Disciplinary Counsel of the State Bar of

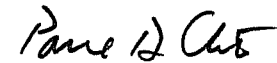
Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that this Order is interlocutory and that the Board retains jurisdiction to enter a final judgment when the appeal of the criminal conviction is final.

It is further ORDERED that Respondent shall promptly notify the Board and the State Bar of Texas Chief Disciplinary Counsel when the appeal of the criminal conviction is final.

It is further ORDERED that the Chief Disciplinary Counsel of the State Bar of Texas shall monitor the status of the appeal of the criminal conviction on at least a quarterly basis and promptly file an appropriate motion for entry of final judgment with the Board when the appeal of the criminal conviction is final.

Signed this 23rd day of January 2008.



CHAIRMAN PRESIDING