

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

IN THE MATTER OF	§	
YALI HUANG	§	DOCKET NO. 40220
STATE BAR CARD NO. 00795433	§	

JUDGMENT OF DISBARMENT

On the 20th day of June 2008, the Board of Disciplinary Appeals heard the Motion for Entry of Judgment of Disbarment filed in the above case by Petitioner, Commission for Lawyer Discipline of the State Bar of Texas, against Respondent, Yali Huang. The Commission appeared by disciplinary counsel of the State Bar of Texas, and Respondent Yali Huang, although duly notified of the Motion and the hearing, failed to respond or appear and wholly made default. This Board has continuing jurisdiction to enter a final judgment in this matter pursuant to Texas Rules of Disciplinary Procedure 8.05 (“TRDP”).

The Board finds that:

- (1) The United States Court of Appeals for the Fifth Circuit dismissed Respondent’s appeal for want of prosecution in Cause No. 07-20548 on or about January 24, 2008;
- (2) Petitioner filed its Motion for Entry of Judgment of Disbarment on or about May 6, 2008, and served same on Respondent in accordance with TRDP 8.05;
- (3) Respondent’s conviction for the commission of an Intentional Crime as defined by TRDP 1.06(T) for which she was sentenced in the United States District Court for the Southern District of Texas, Houston Division, in Case No. 4:05CR00392-004 has become final and is not subject to further appeal;
- (4) Respondent’s sentence for the criminal conviction is not fully probated; and
- (5) Respondent should be disbarred.

Interlocutory Suspension

Following a hearing on the Petition for Compulsory Discipline on the 18th day of January 2008, at which Petitioner, Commission for Lawyer Discipline of the State Bar of Texas, appeared by attorney and announced ready and Respondent, Yali Huang, although duly cited to appear and having been notified of the hearing, failed to answer or appear and wholly made default, the Board of Disciplinary Appeals signed an Interlocutory Order of Suspension on January 23, 2008, which included the following findings of fact and conclusions of law:

- (1) Respondent, Yali Huang, State Bar Number 00795433, is currently licensed in Texas but is administratively suspended for failure to pay State Bar dues and the Texas Attorney Occupational 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 entered 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 total 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 the same person as the Yali Huang, who is the subject of the criminal 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 for more than ten (10) days before the date of this hearing.
- (7) Respondent's criminal sentence is not fully probated.
- (8) This Board has jurisdiction to hear and determine this matter. Rule 7.08(G), Texas Rules of Disciplinary Procedure ("TRDP").
- (9) 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).
- (10) Respondent has also been convicted of Serious Crimes as defined by TRDP 1.06(Z).
- (11) 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.
- (12) The Board retains jurisdiction to enter a final judgment in this matter when the criminal appeal is final.

Disbarment

The Board finds that, because Respondent Huang's criminal sentence is not fully probated, she should be disbarred pursuant to TRDP 8.05. It is, therefore, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent Yali Huang, State Bar No. 00795433, be and she is hereby **DISBARRED** from the practice of law in the State of Texas, and her license to practice law in this state be and is hereby revoked.

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Yali Huang, is hereafter permanently 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, appearing as counsel or in any representative capacity 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, not later than thirty (30) days from the date of the entry of this judgment, shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent has any legal matter pending, if any, of her disbarment, 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, 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 disbarment. 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 on which this Judgment is signed by the Board. 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 that all current clients have been notified of her disbarment 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. If Respondent should be 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 copy of said affidavit and 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, Austin, Texas 78711.

It is further **ORDERED** that Respondent, Yali Huang, if she has not already done so, immediately surrender her Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P. O. Box 12487, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

Signed this 25th day of June 2008.

Paul A. Clete

CHAIR PRESIDING