



FILED

JUL 29 2019

STATE BAR OF NEVADA
BY: *S. Dun.*
OFFICE OF BAR COUNSEL

Case No.: OBC16-0858

STATE BAR OF NEVADA
SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,)
)
Complainant,)
)
vs.)
)
CHRISTINA J. GUPANA, ESQ.,)
NV BAR NO. 12757,)
)
Respondent.)
_____)

PUBLIC REPRIMAND

To: Christina J. Gupana, Esq. and
Gupana Law Firm
3430 E. Flamingo Rd., Suite 232
Las Vegas, Nevada 89121
chrisgupana@gupanalaw.com
(SCR 79 address)

Christina Gupana
Sunnydale, Lincoln Rd.,
Nettleham, UK LN22NF
(Alternate address)

Edward Bradley Radford (“Radford”) and Marlon Yson Medina (“Medina”) contacted you on or about December 5, 2014, to represent them on a Petition for Alien Relative (“I-130”) and a Provisional Unlawful Presence Waiver (“I-601A”) for Radford’s husband, Medina. Radford and Medina executed a retainer agreement for \$4,500 on or about February 19, 2015 for the I-130 and I-601A. The amount was paid in full on or about March 13, 2015.

You filed the I-130 on or about April 29, 2015, and it was approved on or about May 23, 2016. On or about July 6, 2016, you submitted payment of fees to the National Visa Center (“NVC”) on behalf of Medina. You received a receipt for the payment on or about July 7, 2016, indicating Medina’s status as paid.

1 After several months without an update on their case, Radford and Medina began trying to reach
2 you via telephone and email. In December 2016, Radford and Medina paid your office all necessary
3 filing fees and provided all necessary paperwork to submit the I-601A. Despite having access to all the
4 necessary paperwork by January 17, 2017, you failed to properly submit the I-601A in a timely manner.

5 In January 2017, you met with Radford and Medina to inform them of you decision to leave
6 Nevada later that year. During that meeting, you assured Radford and Medina that their immigration
7 matters would be handled properly. Also during that meeting, you provided Radford and Medina with
8 contact information for your paralegal, Thalia Gomez (“Gomez”).

9 On or about March 6, 2017, Gomez indicated Medina’s I-601A was filed in January 2017. On
10 or about March 21, 2017, Gomez claimed the I-601A had been rejected due to NVC’s failure to issue
11 proof of payment. Gomez indicated to you and your clients that the I-601A would be resubmitted, but
12 did not give a timeframe for doing so.

13 On May 7, 2017, Radford sent you an email requesting a meeting to discuss the status of the
14 case. In your response to Radford’s email, you stated that you had left Nevada, the case had already
15 been filed, and that you had fulfilled your obligations under the retainer agreement.

16 On May 16, 2017, Medina sent you an email requesting information on the status of his case and
17 for information on why they had not received a receipt or other confirmation for the submission. In two
18 (2) separate responses to Medina’s email, you again stated the waiver had been submitted, and that you
19 would provide a receipt number as soon as you received it. You blamed the delay on an immigration
20 system backlog, though you did inquire as to the most recent status update received from Gomez. You
21 again stated your work under the retainer agreement was completed.

22 On July 14, 2017, Radford sent another email to Gomez, this time inquiring as to which office
23 the I-601A had been submitted. On July 25, 2017, Gomez responded, indicating she was “still working
24 with the National Visa Center to get the document” she needed to refile the I-601A. Despite repeated
25

1 attempts to communicate with you and Gomez via email and text, Medina and Radford heard nothing
2 further on their case for over four (4) months.

3 On or about December 19, 2017, Radford and Medina went to your prior office location, where
4 they spoke with your prior receptionist, Dora Salazar. They indicated that they intended to file suit
5 against you, as they had contacted NVC directly and learned that the I-601A had not been filed. On
6 December 20, 2017, you emailed Radford and Medina indicating Gomez made her aware that their case
7 had been returned due to a change in forms and fees, resulting in Gomez having to refile the I-601A.
8 You also threatened to countersue Radford and Medina if they took legal action against you. At that
9 time, Gomez had not refiled the I-601A.

10 On December 21, 2017, you emailed Gomez the Cover Sheet and acknowledgment of fees
11 Respondent obtained online on December 20, 2017. Both documents were required for proper
12 submission of the I-601A and were available online as early as January 17, 2017.

13 On December 26, 2017, you again emailed Radford and Medina indicating you could not meet
14 with them to return their file documents because you was no longer in the United States. You further
15 indicated Gomez would update them on their case, and indicated the I-601A had been submitted and
16 there were "no more legal matters to discuss." You have acknowledged that not all necessary forms had
17 been completed on Radford and Medina's behalf at that time.

18 You transferred your law license to inactive status with the State Bar effective January 1, 2018.
19 You are not licensed in any other jurisdiction in the United States.

20 On or about February 2, 2018, you emailed Gomez demanding Gomez meet certain deadlines
21 related to the Medina matter. Thereafter, you notified Medina and Radford that you would be coming
22 to Las Vegas to replace Gomez as their case manager. You also acknowledged Gomez's lack of
23 responsiveness to Medina and Radford.

1 On or about April 2, 2018, you met with Radford to obtain a copy of his file and discuss the
2 status of the case. You notified Radford and Medina that a new paralegal, Maria Bustamante
3 (“Bustamante”), would be handling their case.

4 Throughout the course of the investigation of this matter, you repeatedly informed the State Bar
5 that the I-601A had been submitted multiple times by Gomez. In August of 2018, you finally
6 acknowledged that Gomez never filed the I-601A, and that it was not actually submitted until July 2018.

7 On or about August 28, 2018, the State Bar received a grievance from your former employer.
8 You worked as an associate for the grievant’s law firm from October 22, 2012 through January 2, 2014.
9 Bustamante worked as a paralegal/case manager at the law firm from May 10, 2010 through August 27,
10 2018.

11 Emails exchanged between you and Bustamante demonstrate that a number of your clients’
12 immigration matters remained open and unfiled after January 1, 2018. You knew by or before February
13 2018 that one (1) or more of her clients’ immigration matters had not been properly filed. You then
14 arranged for outstanding client matters to be handled by Bustamante, a paralegal, after voluntarily
15 placing yourself on inactive status.

16 You continued to meet with clients after placing yourself in voluntary inactive status. You
17 personally, and through Gomez and Bustamante, continued to prepare immigration documents on behalf
18 of clients after placing yourself in voluntary inactive status. You maintained client application fees in
19 your IOLTA account and issued checks for applications to USCIS on behalf of clients, after placing
20 yourself in voluntary inactive status.

21 ///

22 ///


23 ///

24 ///

25

1 In light of the foregoing, you violated Rules of Professional Conduct RPC 1.3 (Diligence), RPC
2 1.4 (Communication), RPC 1.15 (Declining or Terminating Representation), RPC 3.2 (Expediting
3 Litigation), RPC 5.3 (Responsibilities Regarding Nonlawyer Assistants) and RPC 5.4 (Professional
4 Independence of a Lawyer) and are hereby PUBLICLY REPRIMANDED.

5 DATED this 29 day of July, 2019.

6
7 By: 
8 Robert Giunta, Esq.
9 Formal Hearing Panel Chair
10 Southern Nevada Disciplinary Board
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25