

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
SEATTLE, WASHINGTON

In the Matter of:

Case No: D2008-233

James Rosenberg
Respondent.

IN DISCIPLINARY PROCEEDINGS

ON BEHALF OF RESPONDENT:
Robert Berke

ON BEHALF OF THE GOVERNMENT:
Scott Anderson
And
Jennifer J. Barnes
Bar Counsel
Office of the General Counsel
5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

ORDER OF THE IMMIGRATION JUDGE

ORDER: It is hereby ordered that:

1. The ground(s) _____ set forth in the Notice of Intent to Discipline have not been established by clear, convincing, and unequivocal evidence and are, hereby, dismissed.
2. The ground(s) 8C.F.R. § 1003.102(e)(1) set forth in the Notice of Intent to Discipline have been established by clear, convincing, and unequivocal evidence. Any remaining ground(s) set forth in the Notice of Intent to Discipline have not been established by clear, convincing, and unequivocal evidence and are, hereby, dismissed.

The following disciplinary sanction shall be imposed:

- Practitioner shall be permanently expelled from practice before:
 The Board of Immigration Appeals and the Immigration Courts
 The Immigration and Naturalization Service
 Both

Practitioner shall be suspended from practice before:

The Board of Immigration Appeals and the Immigration Courts
 United States Citizenship and Immigration Services
 Both
Until For one year as requested by bar counsel

Practitioner shall be publically/privately censured

Other appropriate disciplinary sanction

Date:

3-5-09 Kevin Joseph
Adjudicating Official

APPEAL: RESERVED BY BOTH

APPEAL DUE BY: Thirty Days After Receipt of Notice of Decision as per transmittal of March 2
EOIR 45

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)

TO: PRACTITIONER PRACTITIONER'S ATT/REP DHS/EQIR

DATE: 3-5-09 BY: COURT STAFF Kevin Joseph

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In the Matter of:	Date	<u>Feb. 27, 2009</u>
James Rosenberg	File Number	<u>D #2008-233</u>

Respondent IN BAR DISCIPLINARY PROCEEDINGS
Judge Kenneth Josephson

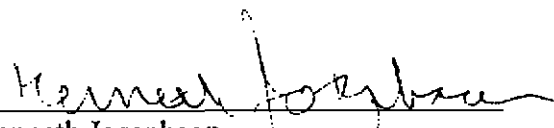
APPLICATION: Request of EOIR Bar Counsel for Reciprocal Discipline

ON BEHALF OF RESPONDENT
Robert Berke, Esq.

ON BEHALF OF DHS
Scott Anderson/Jennifer Barnes, Esq.

ORDER OF THE IMMIGRATION JUDGE

As authorized by the parties at conference of this date, I dictated an oral decision denying the request for an evidentiary hearing as well as the request that the reciprocal discipline of a one year suspension of practice not be imposed. Enclosed herewith are the cassette tapes of the recordings including the oral decision. Appeal was reserved for both sides and such must be timely filed or the right to do so will be waived.


Kenneth Josephson
Adjudicating Official