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NEWS RELEASE

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September 13, 2006

EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct *One Attorney Immediately Suspended; Three Receive Final Orders; Three Are Reinstated*

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has taken disciplinary action against four attorneys after charging them with violations of the Rules of Professional Conduct for immigration practitioners. In addition, three attorneys were reinstated after they completed their suspensions and petitioned for reinstatement. The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 1003 and 1292). In most cases, the disciplinary action is initiated as a result of sanctions imposed by other jurisdictions or a criminal conviction.

Although the disciplinary process may vary according to the specific circumstances of each case, generally it includes the following steps:

Disciplinary proceedings begin with a Notice of Intent to Discipline filed with the Board of Immigration Appeals (BIA) by the Office of the General Counsel of either EOIR or U.S. Citizenship and Immigration Services, Department of Homeland Security (DHS). The BIA requires the attorney to respond to the alleged violations. In some cases, a Petition for Immediate Suspension also is filed and the BIA orders the attorney to be suspended immediately from practice before the immigration courts, the BIA, and the DHS. (DHS joins EOIR in taking the disciplinary action.) Disciplined attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS. Disciplined attorneys must petition and be reinstated by the BIA before they can resume the practice of law before the BIA, the immigration courts, and the DHS.

Immediate Suspension

The BIA ordered the immediate suspension of the following attorney:

- **Michael Levine:** He was suspended from the practice of law for 1 year and 1 day, effective June 20, 2006, by the Supreme Court of Pennsylvania for numerous violations of the state rules of professional conduct, including failure to provide competent representation, failure to act with reasonable diligence, failure to communicate, and

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engaging in conduct that is prejudicial to the administration of justice. He was immediately suspended by the BIA on July 27, 2006, based on his suspension in Pennsylvania, pending final disposition of his case.

Final Orders of Discipline

The BIA issued a Final Order of Discipline against the following attorneys:

- □ **Mikre-Michael Ayele:** A final order of August 16, 2006, suspends him from practice before immigration tribunals for 1 year and 1 day, effective July 12, 2006, based on his suspension in Virginia for failure to act with reasonable diligence, failure to communicate, and representing a client when the lawyer's physical or mental condition materially impairs his ability to represent the client.
- □ **Allen Ebert:** A final order of August 16, 2006, suspends him from practice before immigration tribunals for 5 years, effective July 12, 2006, based on his disbarment in the District of Columbia, for violating the rules of professional conduct.

An Adjudicating Official issued a Final Order of Discipline against the following attorney:

- **Mac Truong:** A final order of August 16, 2006, issued by an Assistant Chief Immigration Judge, suspends him from practice before immigration tribunals for 7 years, effective August 11, 2005, based on his disbarment in New York for offering a forged lease into evidence and giving false testimony in support of the evidence.

Reinstatement

The BIA reinstated the following attorneys to practice before the immigration tribunals:

- **Karen Jaffe:** She was reinstated on July 27, 2006, following a 30-day suspension, effective June 12, 2006, for making false statements to the U.S. Court of Appeals for the Second Circuit.
- **Juan Antonio Molina:** He was reinstated on August 1, 2006, following an indefinite suspension by the State Bar Court in California, and after being reinstated to the practice of law in California.
- **Antonio Reyes-Vidal:** He was reinstated on August 1, 2006, following a 90-day suspension, effective April 1, 2006, for failing to appear for four scheduled hearings in a timely manner without good cause at the San Antonio Immigration Court.

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Background

The Rules of Professional Conduct include provisions specifying grounds for disciplinary action, requirements for receiving and investigating complaints, and procedures for conducting hearings. The rules also authorize the BIA to suspend immediately a practitioner who has been subject to disbarment, suspension, or resignation with an admission of misconduct as imposed by a federal or state court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction. They are available on the EOIR website at http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf.

EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent clients in any matter before an immigration tribunal. EOIR also posts a “List of Disciplined Practitioners” on its website at <http://www.usdoj.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every new immediate suspension or final order issued beginning June 27, 2005, can be accessed through this list by clicking on the highlighted “date” link. Links to older orders, issued since July 2000, will be included gradually.

Additional information about the Attorney Discipline Program can be found at <http://www.usdoj.gov/eoir/press/00/profcond.htm> and <http://www.usdoj.gov/eoir/press/00/profcondfaks.htm> on the EOIR website.

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EOIR is responsible for adjudicating immigration cases. Specifically, under delegated authority from the Attorney General, EOIR interprets and administers federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. EOIR consists of three components: the Office of the Chief Immigration Judge, which is responsible for managing the numerous immigration courts located throughout the United States where immigration judges adjudicate individual cases; the Board of Immigration Appeals, which primarily conducts appellate reviews of immigration judge decisions; and the Office of the Chief Administrative Hearing Officer, which adjudicates immigration-related employment cases. EOIR is committed to providing fair, expeditious, and uniform application of the nation's immigration laws in all cases.

Information about EOIR immigration proceedings is available on EOIR's website <http://www.usdoj.gov/eoir/press/subject.htm>.