U.S. Department of Justice
Executive Office for Immigration Review

Falls Church, Virginia 22041

Decision of the Board of Immigration Appeals

File: D2007-168

Date: SEP 14 2007

In re: ANTHONY ALVAREZ, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Bar Counsel

ON BEHALF OF DHS: Eileen M. Connolly, Appellate Counsel

ORDER:

PER CURIAM. On June 21, 2007, the Supreme Court of Florida suspended the respondent from the practice of law for a period of 90 days, effective 30 days from the date of its order.

Consequently, on July 11, 2007, the Office of General Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. On July 12, 2007, the Department of Homeland Security (the "DHS") asked that the respondent be similarly suspended from practice before that agency. Therefore, on August 15, 2007, the Board suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

The respondent was required to file a timely answer to the allegations contained in the Notice of Intent to Discipline but has failed to do so. *See* 8 C.F.R. § 1003.105(c)(1). The respondent's failure to file a response within the time period prescribed in the Notice constitutes an admission of the allegations therein, and the respondent is now precluded from requesting a hearing on the matter. 8 C.F.R. § 1003.105(d)(1), (2).

The Notice recommends that the respondent be suspended from practicing before the Board and the Immigration Courts for 90 days. The DHS asks that we extend that discipline to practice before it as well. Because the respondent has failed to file an answer, the regulations direct us to adopt the recommendation contained in the Notice, unless there are considerations that compel us to digress from that recommendation. 8 C.F.R. § 1003.105(d)(2).

Since the recommendation is appropriate, given the respondent's suspension in Florida, the Board will honor that recommendation. Accordingly, the Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS for a period of 90 days. As the respondent is currently under the Board's August 15, 2007, order of suspension, the respondent's suspension will be deemed to have commenced on that date. The respondent is instructed to maintain compliance with the directives set forth in our prior order. The respondent is also instructed to notify the Board of any further disciplinary action against him. The respondent may seek reinstatement under appropriate circumstances. 8 C.F.R. § 1003.107(b).

FOR THE BOARD