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

Falls Church, Virginia 22041

Decision of the Board of Immigration Appeals

File: D2006-208 Date: FEB 20 2007

In re: JUSTIN EDWARD GOULD, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Esquire

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

ORDER:

PER CURIAM. On October 12, 2006, the respondent was suspended from the practice of law for 90 days, effective 30 days from the date of the order, by the Supreme Court of Florida.

Consequently, on January 18, 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 January 23, 2007, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) asked that the respondent be similarly suspended from practice before that agency. Therefore, on February 5, 2007, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

The respondent filed a timely answer to the allegations contained in the Notice of Intent to Discipline on February 1, 2007. *See* 8 C.F.R. § 1003.105(c)(1).

The respondent does not contest the allegations in the Notice of Intent to Discipline. Rather, the answer states that the respondent seeks to have his suspension "run concurrently with my current suspension imposed by the Florida Bar." The respondent states that his suspension by the Florida Bar commenced on November 12, 2006, and will expire on February 9, 2007. The respondent did not request a hearing on the matter, and he has therefore waived a hearing on the charges. 8 C.F.R. § 1003.105(c)(3). We therefore find it appropriate to issue a final order on the OGC's charges.

The Notice of Intent to Discipline recommends that the respondent be suspended from practicing before the Board and the Immigration Courts, for a period of 90 days. The DHS asks that we extend that discipline to practice before it as well. Since the recommendation is appropriate in light of the respondent's suspension from the practice of law in Florida, we will honor the government's recommendation. Accordingly, we hereby suspend the respondent from practice before the Board, the Immigration Courts, and the DHS for a period of 90 days. Further, after consideration of the respondent's submissions in his answer, we will deem the respondent's suspension to have commenced on November 12, 2006, the date his suspension was effective in Florida.

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. We direct that the contents of this notice be made available to the public, including at Immigration Courts and appropriate offices of the DHS.

After the suspension period expires, the respondent may petition this Board for reinstatement to practice before the Board, Immigration Courts, and DHS. *See* 8 C.F.R.§ 1003.107(a). In order to be reinstated, the respondent must demonstrate that he meets the definition of an attorney or representative, as set forth in 8 C.F.R. § 1001.1(f) and (j). *Id.* Therefore, the respondent must show that he has been reinstated to practice law in Florida before he may be reinstated by the Board. *See* 8 C.F.R. § 1001.1(f) (stating that term "attorney" does not include any individual under order suspending him from the practice of law).

FOR THE BOARD