

NOT FOR PUBLICATION

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

MATTER OF:

Jose Luis CHAIDEZ, D2023-0270

Respondent

FILED

MAR 08 2024

ON BEHALF OF RESPONDENT: Pro se

ON BEHALF OF DHS: Toinette M. Mitchell, Disciplinary Counsel

ON BEHALF OF EOIR: Paul A. Rodrigues, Disciplinary Counsel

IN PRACTITIONER DISCIPLINARY PROCEEDINGS
On Motion from a Decision of the Board of Immigration Appeals

Before: Malphrus, Deputy Chief Appellate Immigration Judge; Clark, Appellate Immigration Judge; Creppy, Appellate Immigration Judge

Opinion by Creppy, Appellate Immigration Judge

CREPPY, Appellate Immigration Judge

In a decision dated December 22, 2023, we immediately suspended the respondent from practice before the Department of Homeland Security (“DHS”) and the Executive Office for Immigration Review (“EOIR”). This suspension was based on the respondent’s suspension from the practice of law in Arizona. On January 22, 2024, we issued a final order, suspending the respondent from practice before DHS and EOIR for 60 days, effective December 22, 2023. On February 5, 2024, the respondent filed a “Petition to Modify Board of Immigration Appeals Suspension Order to Run Concurrent with the Final Judgment and Order of the Presiding Disciplinary Judge of the Supreme Court of Arizona” and requested reinstatement. The Disciplinary Counsels opposed that petition. While that petition was pending, the respondent filed a second motion for reinstatement, which will be granted.

The respondent has presented evidence showing that he again is authorized to practice law in Arizona, and he maintains that he meets the definition of attorney contained in 8 C.F.R. § 1001.1(f). *See* 8 C.F.R. § 1003.107(a)(1) (discussing requirements for reinstatement).

The Disciplinary Counsels for EOIR and DHS do not dispute that the respondent meets the definition of attorney at 8 C.F.R. § 1001.1(f). The Disciplinary Counsels further do not oppose the respondent’s second motion for reinstatement. We therefore will grant the respondent’s motion for reinstatement. *See* 8 C.F.R. § 1003.107(a)(3).

ORDER: The respondent is reinstated to practice before EOIR and DHS, as of the date of this order.

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FURTHER ORDER: This reinstatement should be reflected in any public notices maintained and disseminated by EOIR regarding attorney discipline.

FURTHER ORDER: If the respondent wishes to represent a party before DHS, the Immigration Courts or the Board, he must file a Notice of Appearance (Form G-28, Form EOIR-26, or Form EOIR-27), even in cases in which he was counsel prior to his suspension.