

NOT FOR PUBLICATION

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

MATTER OF:

Michael JOFFE, D2018-0012

Respondent

FILED

SEP 17 2024

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

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

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

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

Opinion by Liebowitz, Appellate Immigration Judge

LIEBOWITZ, Appellate Immigration Judge

In a decision dated May 21, 2018, we suspended the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security ("DHS") for 2 years, effective April 18, 2018. The respondent filed a motion for reinstatement on August 19, 2022, and a second motion for reinstatement on June 29, 2023. We denied both motions because the respondent had not complied with the terms of his suspension. The respondent now has filed a third motion for reinstatement, which will be granted.

The respondent has presented evidence showing that he has been reinstated to the practice of law in New York (Respondent's Mot., Exh. D). The Disciplinary Counsels for the Executive Office for Immigration Review and DHS do not dispute that the respondent meets the definition of attorney at 8 C.F.R. § 1001.1(f) and further note that they are not aware of any evidence indicating that he failed to comply with the terms of his most recent period of suspension. The Disciplinary Counsels do not oppose the respondent's 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 the Board of Immigration Appeals, the Immigration Courts, and DHS, as of the date of this order.

FURTHER ORDER: This reinstatement should be reflected in any public notices maintained and disseminated by the Executive Office for Immigration Review 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.