

Falls Church, Virginia 22041

---

---

File: D2017-0399

Date: NOV 20 2017

In re: David LIVINGSTON, a.k.a. David Michael Livingston, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

PETITION FOR IMMEDIATE SUSPENSION

ON BEHALF OF EOIR: Jennifer J. Barnes  
Disciplinary Counsel

ON BEHALF OF DHS: Catherine M. O'Connell  
Disciplinary Counsel

On August 11, 2017, the State Bar Court of California issued an order suspending the respondent from the practice of law in that state pending final disposition of state disciplinary proceedings. On November 1, 2017, the Disciplinary Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals (Board) and the Immigration Courts. The Disciplinary Counsel for the Department of Homeland Security (DHS) then asked that the respondent be similarly suspended from practice before that agency. The petition will be granted.<sup>1</sup> See 8 C.F.R. §§§ 1003.103(a)(1) and (4) (2017) (discussing grounds for immediate suspension).

ORDER: The petition is granted, and the respondent is hereby suspended from the practice of law before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. 8 C.F.R. § 1003.103(a)(4).

FURTHER ORDER: The respondent shall promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the DHS that the respondent has been suspended from practicing before these bodies.

FURTHER ORDER: The respondent shall maintain records to evidence compliance with this order.

FURTHER ORDER: The contents of this notice shall be made available to the public, including at Immigration Courts and appropriate offices of the DHS.

  
\_\_\_\_\_  
FOR THE BOARD

---

<sup>1</sup> Upon good cause shown, the Board may set aside the order of immediate suspension when it appears in the interest of justice to do so. 8 C.F.R. § 1003.103(a)(4).