

Falls Church, Virginia 22041

File: D2015-0266

Date: AUG 21 2018

In re: John Nwabuwane AKWUBA, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

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

The respondent, who has been suspended from practice before the Board of Immigration Appeals (Board), the Immigration Courts, and the Department of Homeland Security (DHS) for a period of 60 days, effective February 17, 2016, has sought reinstatement to practice. The Disciplinary Counsel for the DHS does not oppose the respondent's motion for reinstatement. The respondent's motion for reinstatement will be granted.

On November 25, 2015, the Supreme Court of Minnesota issued a final order suspending the respondent from the practice of law in that state for 60 days, effective November 27, 2015. Consequently, on December 31, 2015, the Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) petitioned for the respondent's immediate suspension from practice before the Board and the Immigration Courts. The Disciplinary Counsel for the DHS then asked that the respondent be similarly suspended from practice before that agency. We granted the petition on February 10, 2016.

The respondent did not file a timely answer to the Notice of Intent to Discipline and did not dispute the allegations in the Notice. Given the respondent's 60-day suspension from the practice of law in Minnesota, our February 17, 2016, final order of discipline suspended the respondent from practice before the Board, the Immigration Courts, and the DHS for a period of 60 days, effective immediately.

The respondent now asks to be reinstated to practice before the Board, the Immigration Courts and the DHS, and presents evidence that he is again authorized to practice law in Minnesota and in compliance with all requirements imposed on him. The respondent now meets the definition of attorney as set forth in 8 C.F.R. § 1001.1(f) (2017) and has complied with the reinstatement requirements set forth in 8 C.F.R. § 1003.107. Further, the Disciplinary Counsel for the DHS does not oppose his reinstatement. We therefore grant the respondent's motion for reinstatement and reinstate the respondent to practice before the Board, the Immigration Courts and the DHS, effective immediately.

ORDER: The respondent is reinstated to practice before the Board, the Immigration Courts, and the DHS, effective immediately upon the issuance of this order.

FURTHER ORDER: Because the respondent has been reinstated, public notices regarding the respondent's suspension should reflect this reinstatement.

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



FOR THE BOARD