

Falls Church, Virginia 22041

File: D2018-0293

Date: DEC 10 2018

In re: Sean HANOVER, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

PETITION FOR IMMEDIATE SUSPENSION

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

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

On October 26, 2018, the Virginia State Bar Disciplinary Board issued a "Rule to Show Cause and Order of Summary Suspension and Hearing" immediately suspending the respondent from the practice of law in Virginia due to his conviction for child pornography distribution in Maryland. On November 9, 2018, the Acting Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals 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 respondent opposes the petition for immediate suspension and asks that his proceedings be continued without suspension until June 2019 when he is scheduled for a hearing before the Disciplinary Board of the Virginia State Bar. In support of his request, he explains the circumstances surrounding his conviction in Maryland and he contends that the charge does not affect his ability to represent clients. The Acting Disciplinary Counsel for EOIR opposes the respondent's request for a continuance on the ground that the respondent remains suspended in Virginia while his proceedings are pending.

The November 16, 2018, order of the Disciplinary Board of the Virginia State Bar scheduled a hearing for the respondent on June 20, 2019, but the order did not rescind the immediate suspension imposed by the Disciplinary Board's October 26, 2018, order (EOIR Response, Attachment 1; Respondent's Opposition, Ex. 3). The respondent therefore remains suspended from the practice of law in Virginia while his disciplinary proceedings are pending, and immediate suspension is warranted. 8 C.F.R. § 1003.103(a)(4) (indicating that the Board "shall" enter an immediate suspension order upon the filing of a petition supported by a court order establishing that an attorney has been placed on interim suspension pending final resolution of an underlying disciplinary matter). The petition will be granted.¹ See 8 C.F.R. §§ 1003.103(a)(1) and (4) (2017).

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

¹ Upon good cause shown, the Board of Immigration Appeals 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).

FURTHER ORDER: The respondent shall promptly notify, in writing, any clients with cases currently pending before the Board of Immigration Appeals, 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.

A handwritten signature in black ink, appearing to be "C. M. 18", is written above a horizontal line.

FOR THE BOARD