

Falls Church, Virginia 22041

File: D2014-0288

OCT 29 2020
Date:

In re: Wells Ted WAKEFIELD, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

ON BEHALF OF EOIR: Paul A Rodrigues, Disciplinary Counsel

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

On December 1, 2014, we suspended the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security (DHS) for 3 years, effective November 3, 2014. This suspension was based on his suspension from the practice of law in Texas due to professional misconduct in immigration matters. On July 20, 2020, the respondent filed a motion seeking reinstatement to practice. The respondent's motion will be granted.

The respondent has completed his 3 year period of suspension before the Board of Immigration Appeals, the Immigration Courts and the DHS. In addition, the respondent has presented evidence showing that he again is authorized to practice law in Texas.

The Disciplinary Counsels for the Executive Office for Immigration Review (EOIR) and the DHS do not oppose the respondent's motion for reinstatement. The Disciplinary Counsels do not dispute that the respondent is eligible to practice law in Texas and that he meets the definition of attorney at 8 C.F.R. § 1001.1(f). *See* 8 C.F.R. § 1003.107(a)(1) (discussing requirements for reinstatement). The Disciplinary Counsels point out that the respondent engaged in the practice of law before the DHS from 2018-2020 notwithstanding his suspension. The Disciplinary Counsels, however, explain that, when the Disciplinary Counsel for the DHS emailed the respondent regarding his ineligibility to practice, the respondent responded immediately and stated that he had not received our order of suspension.¹ Given these facts, the Disciplinary Counsels do not argue that the respondent's actions should prevent his reinstatement to practice. The Disciplinary Counsels instead express their affirmative non-opposition to reinstatement.

Based on the foregoing, we 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, the Immigration Courts, and the 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.

¹ The record further indicates that the order was returned as not deliverable as addressed.

FURTHER ORDER: If the respondent wishes to represent a party before the 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.

Ellen Rubowicz
FOR THE BOARD