

**NOT FOR PUBLICATION**

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

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MATTER OF:

Marie Gerard HERNANDEZ, D2022-0179

Respondent

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**FILED**

NOV 09 2022

ON BEHALF OF RESPONDENT: Pro se

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

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

**IN PRACTITIONER DISCIPLINARY PROCEEDINGS**

On Petition for Immediate Suspension before the Board of Immigration Appeals

Before: Malphrus, Deputy Chief Appellate Immigration Judge; Liebowitz, Appellate Immigration Judge; Noferi, Temporary Appellate Immigration Judge<sup>1</sup>

Opinion by Deputy Chief Appellate Immigration Judge Malphrus

MALPHRUS, Deputy Chief Appellate Immigration Judge

On May 3, 2022, the District 10 Grievance Committee, Evidentiary Panel 10-1, State Bar of Texas, issued a judgment suspending the respondent from the practice of law in Texas for a period of one year, effective April 28, 2022. The judgment also provided that if the respondent timely complies with the terms and conditions set forth therein, the respondent will begin a two-year probated suspension beginning on April 28, 2023. On October 24, 2022, the Disciplinary Counsel for the Executive Office for Immigration Review ("EOIR") and the Disciplinary Counsel for the Department of Homeland Security ("DHS") jointly petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. The petition will be granted.<sup>2</sup> See 8 C.F.R. §§ 1003.103(a)(1) and (4) (discussing grounds for immediate suspension).

**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 DHS, pending final disposition of this proceeding. 8 C.F.R. § 1003.103(a)(4).

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<sup>1</sup> Temporary Appellate Immigration Judges sit pursuant to appointment by the Attorney General. See 8 C.F.R. § 1003.1(a)(4).

<sup>2</sup> 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).

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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 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.