

**NOT FOR PUBLICATION**

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

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MATTER OF:

Matus VARGA, D2022-0167

Respondent

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**FILED**

FEB 15 2023

ON BEHALF OF RESPONDENT: Pro se

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

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

IN PRACTITIONER DISCIPLINARY PROCEEDINGS  
On Motion from a Decision of the Board of Immigration Appeals

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

Opinion by Liebowitz, Appellate Immigration Judge

LIEBOWITZ, Appellate Immigration Judge

The respondent will be suspended from the practice of law before the Board of Immigration Appeals, the Immigration Court, and the Department of Homeland Security ("DHS") for a period of six months, effective October 19, 2022.

On March 30, 2022, the United States Court of Appeals for the Eleventh Circuit suspended the respondent from the practice of law in the Eleventh Circuit for a period of six months, effective immediately. On August 2, 2022, the Eleventh Circuit suspended the respondent from the practice of law in the Eleventh Circuit indefinitely, effective immediately. On September 26, 2022, the Disciplinary Counsels for the Executive Office for Immigration Review ("EOIR") and DHS jointly petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. We granted the petition for immediate suspension on October 19, 2022.

On December 22, 2022, the respondent filed an answer to the Notice of Intent to Discipline, admitting the allegations against him.

The respondent does not ask for a hearing before the Office of the Chief Immigration Judge, and we discern no basis for a hearing. 8 C.F.R. § 1003.106(a)(1). Specifically, the respondent has

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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)



admitted that he has been suspended in the Eleventh Circuit, and this fact is sufficient to establish that summary proceedings are appropriate. *See* 8 C.F.R. § 1003.103(b)(2); *see also* 8 C.F.R. § 1003.102(e). We therefore will proceed in summary disciplinary proceedings.

The Notice of Intent to Discipline proposes that the respondent be suspended indefinitely, but no less than six months, from practicing before the Board of Immigration Appeals, the Immigration Courts, and DHS. Based on the parties' submissions, we consider the proposed sanction of six months' suspension as appropriate in light of the respondent's suspensions in the Eleventh Circuit. We therefore will order the respondent suspended for six months from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS. Further, as the respondent is currently suspended under our October 19, 2022, order of suspension, we will deem his suspension to have commenced on that date.

ORDER: The Board hereby suspends the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and DHS for six months, effective October 19, 2022.

FURTHER ORDER: The respondent must maintain compliance with the directives set forth in our prior order. The respondent must notify the Board of any further disciplinary action against him.

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

FURTHER ORDER: The respondent may petition this Board for reinstatement to practice before the Board, the Immigration Courts, and DHS under 8 C.F.R. § 1003.107.