

NOT FOR PUBLICATION

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

MATTER OF:

Rita MAHDESSIAN, D2011-0434

Respondent

FILED

APR 24 2023

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

ON BEHALF OF DHS: Toinette M. Mitchell, 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 Judge¹

Opinion by Noferi, Temporary Appellate Immigration Judge

NOFERI, Temporary Appellate Immigration Judge

On February 27, 2012, the respondent was suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security ("DHS") for a period of eight months, commencing on January 9, 2012. On March 28, 2023, the respondent filed a motion seeking reinstatement to practice, which will be granted.

The respondent claims in her motion that the California State Bar website shows that her current status is "active." She asserts that as such, she sufficiently meets the definition of "attorney" set forth in 8 C.F.R. § 1001.1(f).

The Disciplinary Counsels for the Executive Office for Immigration Review and DHS have jointly filed a Non-Opposition to Reinstatement, and they do not dispute that the respondent is eligible to practice law in California and that she appears to meet the definition of attorney as set forth in the regulations. While Disciplinary Counsels noted that they are aware that the respondent violated the suspension order when she appeared as counsel in a case before the Los Angeles Immigration Court in November 2012, they are not opposing the respondent's motion for reinstatement because they are not aware of any recent instances of non-compliance.

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

D2011-0434

Under these circumstances, and in light of the parties' position, we will grant the respondent's motion for reinstatement. *See* 8 C.F.R. § 1003.107(a)(3). The following order will be granted.

ORDER: The respondent is reinstated to practice before the Board of Immigration Appeals, the Immigration Courts, and 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.

FURTHER ORDER: If the respondent wishes to represent a party before DHS, the Immigration Courts, or the Board, she must file a Notice of Appearance (Form G-28, Form EOIR-26, or Form EOIR-27) even in cases in which she was counsel prior to her suspension.