

NOT FOR PUBLICATION

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

MATTER OF:

Juan Carlos MERCADO, Jr., D2021-0228

Respondent

FILED

APR 26 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: Liebowitz, Appellate Immigration Judge, Brown, Temporary Appellate Immigration
Judge, Noferi, Temporary Appellate Immigration Judge¹

Opinion by Brown, Temporary Appellate Immigration Judge

BROWN, Temporary Appellate Immigration Judge

In a decision dated March 2, 2022, we suspended the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security ("DHS") for 6 months, effective November 13, 2021. The respondent has now filed a motion for reinstatement, which will be granted.

The respondent has presented evidence showing that he has been reinstated to the practice of law in Florida, and that he is an active member in good standing in Florida. He maintains that he meets the definition of attorney as set forth in 8 C.F.R. § 1001.1(f). *See* 8 C.F.R. § 1003.107(a)(1) (discussing requirements for reinstatement).

The Disciplinary Counsels for the Executive Office for Immigration Review and DHS do not dispute that the respondent is eligible to practice law in Florida and that he meets the definition of attorney at 8 C.F.R. § 1001.1(f). The Disciplinary Counsels further do not oppose the respondent's motion for reinstatement. We will therefore 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 of Immigration Appeals, the Immigration Courts, and DHS, as of the date of this order.

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

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, 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.