

**NOT FOR PUBLICATION**

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

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MATTER OF:

Erick G. Garcia HERNANDEZ, D2023-0093

Respondent

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**FILED**

MAY 15 2023

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

Opinion by Liebowitz, Appellate Immigration Judge

LIEBOWITZ, Appellate Immigration Judge

On March 22, 2023, the Supreme Court of California issued a final order suspending the respondent from the practice of law in California for a period of three years, with the execution of that period stayed. The order also placed the respondent on probation for three years subject to certain conditions, including suspension from the practice of law in California for a minimum of the first two years of probation, effective April 21, 2023. On May 1, 2023, 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 generally, 8 C.F.R. § 1003.1(a)(1), (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).

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 DHS.