

NOT FOR PUBLICATION

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

MATTER OF:

Eduardo F. JUSTO DE POMAR, D2022-0084

Respondent

FILED

FEB 17 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 Liebowitz, Appellate Immigration Judge

LIEBOWITZ, Appellate Immigration Judge

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 five months, commencing on May 28, 2022, based on the respondent's suspension from the practice of law in the District of Columbia. On November 9, 2022, the respondent filed a motion seeking reinstatement to practice, which we denied on January 19, 2023. In that decision, we ordered that the respondent remain suspended for an additional 60 days, effective October 28, 2022. On January 27, 2023, the respondent filed a motion seeking reinstatement to practice, which will be granted.

With his motion for reinstatement, the respondent claims that he has complied with the requirements and conditions to qualify as an attorney under 8 C.F.R. § 1001.1(f), and that he is a member in good standing in the District of Columbia. *See* 8 C.F.R. § 1003.107(a)(1) (discussing requirements for reinstatement). The respondent presented, inter alia, a printout from the D.C. Bar website that indicates that he is an active member in good standing.

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

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

eligible to practice law in the District of Columbia and that he appears to meet the definition of attorney as set forth in 8 C.F.R. § 1001.1(f). The respondent's motion for reinstatement will be granted. *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.

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.