

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IN PRACTITIONER DISCIPLINARY PROCEEDINGS  
BEFORE THE IMMIGRATION COURT

In the Matter of )  
)  
)

JOHN HYKEL, )

Respondent. )  
)  
)

Disciplinary Case # D2000-135

CONSENT ORDER

Respondent, through counsel, and the Office of the General Counsel (OGC), Executive Office for Immigration Review (EOIR), by the undersigned Bar Counsel, hereby submit this consent order pursuant to 8 C.F.R. § 3.106(a)(1)(ii), and seek the Court's approval thereunder.

Basis of Consent Order

1. Respondent hereby declares that the foregoing is freely and voluntarily rendered, that he is not being subjected to coercion or duress, and that he is fully aware of the implications of this consent order.

2. Respondent acknowledges that OGC has met its burden of proof, by clear, convincing, and unequivocal evidence, to the allegations set forth in the Notice of Intent to Discipline, to wit: that on May 25, 2000, Respondent pled guilty to a felony in United States v. John Hykel, Criminal No. 00-169, United States District Court for the Eastern District of

Pennsylvania, to two counts of making false statements to a federal agency in violation of 18 U.S.C. § 1001.

3. In consideration of evidence introduced at the hearing held on August 27, 2001, regarding both aggravating and mitigating factors, Respondent consents to a two (2) year suspension before the Immigration Courts, Board of Immigration Appeals ("Board"), and Immigration and Naturalization Service ("Service"), effective nunc pro tunc to March 8, 2001, followed by a period of three (3) years probation.

4. Respondent also agrees to i) continue his participation in psychiatric counseling for treatment of his bipolar disorder; ii) continue with a regimen of the drug Neurontin, or any other medication, prescribed by his treating physician; and iii) ensure that quarterly reports signed by his treating physician are submitted to Bar Counsel demonstrating his compliance with (i) and (ii) above, beginning three (3) months from the date the Court enters the consent, and ending March 8, 2006.

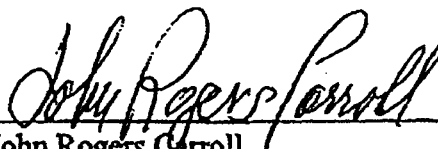
5. By this consent, Respondent acknowledges that he will not be eligible for reinstatement pursuant to 8 C.F.R. § 3.107(b), until one year has passed, provided that he meets the definition of attorney as set forth in 8 C.F.R. § 1.1(f). At that time, Respondent may file a notice with the Board, together with clear and convincing evidence that he meets the definition of attorney, requesting that he be reinstated to practice before the Immigration Courts, Board, and Service, pursuant to 8 C.F.R. § 3.107(a). If Respondent files such notice with the requisite

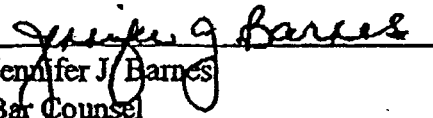
evidence of good standing, and OGC verifies that Respondent is, in fact, good standing in the state of Pennsylvania, OGC will file a notice of non-opposition.

By consent, it is ORDERED AND ADJUDGED that Respondent shall be suspended from practice before the Board, Immigration Courts, and Service, for two (2) years, nunc pro tunc to March 8, 2001, followed by probation for three (3) years with conditions as set forth above in paragraph 4 of this order, and until such further order of the Board on application for reinstatement pursuant to 8 C.F.R. § 3.107(a).

Dated:

January 23, 2002


  
John Rogers Carroll  
Counsel for Respondent

  
Jennifer J. Barnes  
Bar Counsel  
Executive Office for  
Immigration Review  
Office of the General Counsel  
5107 Leesburg Pike  
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Falls Church, Virginia. 22041  
(703) 305-0470

Date:

February 7, 2002

By the Immigration Court:

  
Jill H. Dufresne  
Immigration Judge