

Falls Church, Virginia 22041

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File: D2001-054

Date: JAN 8 2004

In re: BRAD ALAN ALEXANDER, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Esquire

ON BEHALF OF DHS: Javier Balasquide, Appellate Counsel

ORDER:

PER CURIAM. The respondent pled nolo contendere to possession of cocaine in the Circuit Court of Hernando County, Florida and the court entered the plea on October 14, 1999. As a result, on February 8, 2001, the Florida Supreme Court suspended the respondent from the practice of law in that state for a period of 1 year, nunc pro tunc to January 27, 2000, subject to certain conditions.

Consequently, on May 25, 2001, the Office of General Counsel for the Executive Office for Immigration Review initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. On June 4, 2001, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) asked that the respondent be similarly suspended from practice before that agency. Therefore, on June 15, 2001, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. We issued a final order of discipline on July 16, 2001, suspending the respondent from practice before the Board, the Immigration Courts, and the Service for a period of one year.

The respondent moves that we reinstate him to practice before the Board, the Immigration Courts, and the DHS. The respondent asserts that he has been reinstated to practice in Florida, as evidenced by a December 9, 2003, order of the Supreme Court of Florida. The Office of General Counsel for the Executive Office for Immigration Review, who initiated these disciplinary proceedings, does not oppose the motion and notes that the respondent appears to meet the definition of attorney as provided in 8 C.F.R. § 1001.1(f). Given that the respondent has been reinstated to practice law in Florida, and his motion is unopposed, we find that the respondent should be and hereby is reinstated to practice before the Board, the Immigration Courts, and the DHS, as of the date of this order. Because the respondent has been reinstated, public notices regarding the respondent's suspension by the Board should be withdrawn. If the respondent wishes to represent a party before the Board, he must file a Notice of Appearance (Form EOIR-27), including any case in which he was formerly counsel, prior to his suspension.

  
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FOR THE BOARD