

Falls Church, Virginia 22041

File: D2004-017

Date: September 13, 2006

In re: MAHMOUD ALSAFTY, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

ON BEHALF OF DHS: Eileen M. Connolly, Appellate Counsel

ORDER:

PER CURIAM. On December 19, 2003, the Court of Appeals of Maryland disbarred the respondent from the practice of law. On March 30, 2004, the New York Supreme Court, Appellate Division, Third Judicial Department, suspended the respondent from the practice of law. The discipline was imposed as reciprocal discipline in response to the Maryland disciplinary matter.

Consequently, on April 28, 2004, 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 May 3, 2004, 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 May 7, 2004, we suspended the respondent from practice before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. On August 16, 2004, an Immigration Judge suspended the respondent from practice before the Board, the Immigration Courts, and the DHS, for a period of 1 year, effective March 30, 2004.

The respondent moves that we reinstate him to practice before the Board, the Immigration Courts, and the DHS. The Office of General Counsel does not oppose the petition for reinstatement, observing that it has determined that the respondent is a member in good standing of the State Bar of New York, and appropriate discipline has been effected. The DHS also states that it is not opposed to the respondent's reinstatement to practice.

Given that the respondent's 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 Because the respondent has been reinstated, public notices regarding the respondent's suspension should be withdrawn. If the respondent wishes to represent a party before the DHS or Board, he must file a Notice of Appearance (Form G-28 or Form EOIR-27), including any case in which he was formerly counsel, prior to his suspension.



FOR THE BOARD