

Falls Church, Virginia 22041

File: D2001-058

Date: MAR 17 2003

In re: HARNAM S. ARNEJA, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

ON BEHALF OF SERVICE: Javier Balasquide, Appellate Counsel

ORDER:

PER CURIAM. We will grant the respondent's motion for reinstatement, filed March 3, 2003.

On January 31, 2002, the respondent was suspended from the practice of law for one year, by the District of Columbia Court of Appeals.

Consequently, on April 5, 2002, 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 April 16, 2002, the Immigration and Naturalization Service asked that the respondent be similarly suspended from practice before that agency. Accordingly, on May 6, 2002, we suspended the respondent from practice before the Board, the Immigration Courts, and the Service, pending final disposition of disciplinary proceedings.

The respondent requested a hearing on the matter before an Immigration Judge. On July 10, 2002, the parties entered into a consent order whereby the respondent accepted a 1 year suspension from practice before the Board, the Immigration Courts, and the Service, effective *nunc pro tunc* to March 3, 2002. The respondent acknowledged that he would not be eligible for reinstatement unless and until he was readmitted to practice law in the District of Columbia.

The respondent moves that we reinstate him to practice before the Board, the Immigration Courts, and the Service. The respondent asserts that he has been reinstated to practice in the District of Columbia, where he was disciplined. A March 3, 2003, statement from the Clerk of the District of Columbia Court of Appeals states that the respondent is an active member in good standing of the District of Columbia bar. 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).¹

¹ Regulations relating to the Executive Office for Immigration Review, found in title 8 of the Code of Federal Regulations, were reorganized on February 28, 2003, due to the Homeland Security Act of 2002. See 68 FR 9824 (February 28, 2003). There was no substantive changes made to the

Given that the respondent has been reinstated to practice law in the District of Columbia, 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 Service, 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.



FOR THE BOARD

regulations. *Id.* at 9825. Until February 28, 2003, 8 C.F.R. § 1001.1(f) was found at 8 C.F.R. § 1.1(f).