

Falls Church, Virginia 22041

File: D2002-179

Date:

OCT - 3 2003

In re: WILMA NADINE BRENNAN, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

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

Between September 3, 2002, and December 10, 2002, respondent Brennan was administratively suspended from the practice of law in Texas for failure to pay occupation taxes and bar dues.

On May 11, 2003, the Office of General Counsel for the Executive Office for Immigration Review initiated disciplinary proceedings against the respondent. On May 23, 2003, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) asked that any punishment applied to the respondent also apply to practice before the DHS. In the Notice of Intent to Discipline, the DHS submitted evidence that during the period she was suspended from the practice of law in Texas, Brennan entered her appearance as counsel for the respondent in twenty-four immigration cases in the Houston Immigration Court, and claimed that she was a member in good standing of the Texas state bar. On July 1, 2003, the parties entered into a consent order whereby the respondent accepted a 30-day suspension from practice before the Board, the Immigration Courts, and the DHS, effective August 1, 2003. The Board gave its approval to the settlement on July 24, 2003.

The respondent moves that we reinstate her to practice before the Board, the Immigration Courts, and the Service. The respondent asserts that she has been reinstated to practice in Texas, where she was disciplined. An August 26, 2003, statement from the Chief Disciplinary Counsel for the State Bar of Texas states that the respondent is an active member in good standing of the Texas state 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).

Given that the respondent has been reinstated to practice law in Texas, and her 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Because the respondent has been reinstated, public notices regarding the respondent's suspension by the Board should be withdrawn.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, she must file a Notice of Appearance (Form EOIR-27), including any case in which she was formerly counsel, prior to her suspension.



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FOR THE BOARD