

Falls Church, Virginia 22041

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File: D2012-264

Date:

JUL 17 2013

In re: BAKARY FANSU CONTEH, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

ON BEHALF OF DHS: Catherine M. O'Connell, Disciplinary Counsel

ON BEHALF OF EOIR: Jennifer J. Barnes, Disciplinary Counsel

The respondent's request for reinstatement to practice, which has not been opposed by the Department of Homeland Security (the "DHS"), will be granted.

On August 23, 2012, the Supreme Court of the State of Washington suspended the respondent from the practice of law for six months. Consequently, on September 10, 2012, the DHS initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. The Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) then asked that the respondent be similarly suspended from practice before EOIR, including the Board and Immigration Courts.

Therefore, on September 24, 2012, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. The respondent did not file a timely answer to the Notice of Intent to Discipline, and did not dispute the allegations in the Notice.

Given the respondent's suspension from the practice of law in Washington, on October 22, 2012, we suspended the respondent from practice before the Board, the Immigration Courts, and the DHS, for six months, effective September 24, 2012.

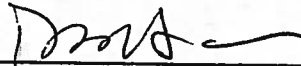
On June 12, 2013, we denied a reinstatement motion filed by the respondent, as he did not then meet the definition of attorney as set forth at 8 C.F.R. § 1001.1(f). Although the respondent presented evidence that he had been reinstated to the practice of law in Washington, he remained under suspension by the United States Court of Appeals for the Ninth Circuit.

The respondent again moves that the Board reinstate him to practice. The respondent presents evidence that he has been reinstated by the Ninth Circuit, meets the definition of attorney under the regulation, and has completed the period of suspension. 8 C.F.R. §§ 1001.1(f), 1003.107(a)(2013). The respondent will be reinstated to practice.

ORDER: The respondent is reinstated to practice before the Board, the Immigration Courts, and the DHS, as of the date of this order.

FURTHER ORDER: Because the respondent has been reinstated, public notices regarding the respondent's suspension should reflect this reinstatement.

FURTHER ORDER: 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.

A handwritten signature in black ink, appearing to be "D. A. ...", written above a horizontal line.

FOR THE BOARD