

Falls Church, Virginia 22041

File: D2000-135

Date: APR - 6 2006

In re: JOHN J. HYKEL, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

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

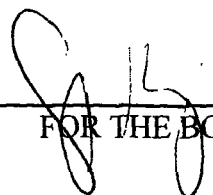
ORDER:

PER CURIAM. On May 25, 2000, before the United States District Court for the Eastern District of Pennsylvania, the respondent pled guilty to charges of making false statements to the Department of Labor in connection with his immigration practice. Consequently, on February 23, 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 March 1, 2001, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) moved to join that petition and asked that the respondent be similarly suspended from practice before that agency. We suspended the respondent from practice pending final disposition of the proceedings on March 8, 2001.

The respondent requested a hearing on the matter before an Immigration Judge. On February 7, 2002, the parties entered into a consent order whereby the respondent accepted a 2-year suspension from practice before the Board, the Immigration Courts, and the DHS, effective *nunc pro tunc* to March 8, 2001, followed by 3 years probation. The respondent acknowledged that he would not be eligible for reinstatement unless and until he could meet the definition of attorney under 8 C.F.R. § 1001.1(f).

The respondent moves that we reinstate him to practice before the Board, the Immigration Courts, and the DHS, and states that he is currently a member in good standing of the Pennsylvania Bar.

Both the Office of General Counsel, and the DHS, have filed notices of non-opposition to the petition for reinstatement. 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 by the Board 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