

Falls Church, Virginia 22041

File: D2003-272

Date: January 10, 2007

In re: CLYDE E. LINDSAY, 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 November 13, 2003, the Supreme Judicial Court for Suffolk County, Commonwealth of Massachusetts, ordered that the respondent be suspended from the practice of law for one year, effective December 13, 2003.

Consequently, on January 16, 2004, the Office of General Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. On January 21, 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 February 11, 2004, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. On March 19, 2004, we issued a final order, suspending the respondent from practice for one year, effective February 11, 2004. We noted that the respondent could seek reinstatement under appropriate circumstances.

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 the respondent has submitted evidence that he is eligible to practice law in Massachusetts. 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Because the respondent has been reinstated, public notices regarding the respondent's suspension by the Board should be withdrawn.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