

Falls Church, Virginia 22041

File: D2005-227

Date: October 19, 2006

In re: RICO C. REYES, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

ON BEHALF OF DHS: Rachel A. McCarthy, Ethics Counsel

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Bar Counsel

ORDER:

PER CURIAM. On September 1, 2004, the Supreme Court of Texas suspended the respondent from the practice of law in that state.

Consequently, on November 10, 2005, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service), initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. On November 16, 2005, the Office of General Counsel for the Executive Office for Immigration Review (EOIR) asked that the respondent be similarly suspended from practice before EOIR, including the Board and Immigration Courts. Therefore, on December 2, 2005, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. On January 30, 2006, we issued a final order, suspending the respondent indefinitely from practice.

The respondent moves that we reinstate him to practice before the Board, the Immigration Courts, and the DHS. The DHS does not oppose the petition for reinstatement, observing that it has determined that the respondent has been reinstated to active status as a member of the State Bar of Texas. The Office of General Counsel 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 Because the respondent has been reinstated, public notices regarding the respondent's suspension should be withdrawn.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