

Falls Church, Virginia 22041

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File: D2005-161

Date: JAN 20 2006

In re: ANTONIO SALAZAR, 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 February 8, 2005, the Supreme Court of Washington suspended the respondent from the practice of law in that state for 30 days, effective February 15, 2005.

Consequently, on October 17, 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 October 28, 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 November 8, 2005, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. On December 12, 2005, after the respondent failed to submit a timely answer, we issued a final order suspending the respondent from practice for 60 days, and deemed the suspension to have begun on the date of our suspension order, November 8, 2005.

The respondent moves that we reinstate him to practice before the Board, the Immigration Courts, and the DHS. The DHS 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'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Because the respondent has been reinstated, public notices regarding the respondent's suspension by the Board should be withdrawn.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 EOIR-28 or Form EOIR-27), including any case in which he was formerly counsel, prior to his suspension.

  
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FOR THE BOARD