

Falls Church, Virginia 22041

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File: D2012-259

Date: **AUG 19 2013**

In re: JONATHAN STEPHEN SCHWARTZ, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

ON BEHALF OF DHS: Jenny C. Lee  
Associate Legal Advisor

The respondent's unopposed request for reinstatement to practice will be granted.

On May 29, 2012, the Supreme Court of Florida approved the uncontested report of the referee, and suspended the respondent from the practice of law for 90 days. Consequently, on August 30, 2012, the Disciplinary 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. The Department of Homeland Security (the "DHS") then asked that the respondent be similarly suspended from practice before that agency. Therefore, on September 11, 2012, the Board suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

On October 22, 2012, we issued a final order of discipline, and suspended the respondent from practice before the Board, Immigration Courts, and the DHS, for 90 days, effective September 11, 2012.

The respondent moves that the Board reinstate him to practice. The EOIR Disciplinary Counsel does not oppose the petition for reinstatement, observing that the respondent has stated that he has been reinstated to the practice of law in the state of Florida, and that statement has been confirmed. 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.

  
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FOR THE BOARD