



**U.S. Department of Justice**  
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## NEWS RELEASE

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### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct** *One Attorney Immediately Suspended; Four Receive Final Orders; One Attorney Reinstated*

The Executive Office for Immigration Review (EOIR) has reinstated one attorney and has taken disciplinary action against five attorneys after charging them with violations of the rules of professional conduct for immigration practitioners. These rules appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 3 and 292). The attorneys' violations arose either out of sanctions imposed by other jurisdictions or a criminal conviction.

Disciplinary proceedings began in each case with a Petition for Immediate Suspension and Notice of Intent to Discipline filed with the Board of Immigration Appeals (BIA) by the Office of the General Counsel of either EOIR or the Department of Homeland Security (DHS). The BIA then ordered each attorney to be suspended immediately from practice before the Immigration Courts, the BIA, and the DHS. (DHS joined EOIR in taking the disciplinary action.) The BIA also required these attorneys to respond to the alleged violations.

#### **Immediate Suspension**

The BIA ordered the immediate suspension of the following attorney:

- ! **Michael P. Karr:** He was suspended from the practice of law for 9 months by the Supreme Court of California. He had stipulated that he had violated the California Rules of Professional Conduct by forming a partnership with a person who is not a lawyer and sharing fees with the same individual. He was immediately suspended by the BIA on October 1, 2003, pending final disposition of his case.

#### **Final Orders of Discipline**

The BIA issued Final Orders of Discipline against the following attorneys:

- ! **James Robert Valinoti:** He was suspended from the practice of law for 3 years by the Supreme Court of California for "habitual, reckless and intentional failures to competently perform legal services." He was immediately suspended by the BIA on July 24, 2003, pending final disposition of his case. The final order of October 8, 2003, suspends him from practice before the immigration tribunals for 3 years, effective July 24, 2003.

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- ! **Frank Denny Winston:** He was suspended from the practice of law for 5 months by the Supreme Court of California for “intentionally, recklessly and repeatedly failing to perform legal services with competence.” He was immediately suspended by the BIA on August 19, 2003, pending final disposition of his case. The final order of October 8, 2003, suspends him from practice before the immigration tribunals for 5 months, effective August 19, 2003.
  
- ! **Hanna Z. Hanna:** He pleaded guilty to one count of aiding and abetting in the filing of an application for alien registration containing a false statement in the United States District Court for the Eastern District of New York. He was suspended for 3 years from the practice of law in New York, and was suspended by the BIA on April 30, 2003, pending final disposition of his case. The final order of October 9, 2003, suspends him from practice before the immigration tribunals for 3 years, effective April 30, 2003.
  
- ! **John Kirby Vawter:** He was found guilty of one count of obstruction of a court order by the United States District Court for the Southern District of California. He was immediately suspended by the BIA on August 21, 2003, pending final disposition of his case. The final order of October 9, 2003, suspends him from practice before the immigration tribunals for 6 months, effective August 21, 2003.

**Reinstatement**

The BIA reinstated the following attorney to practice before the immigration tribunals after she had completed her period of suspension:

- ! **Wilma Nadine Brennan:** She was reinstated on October 3, 2003, after she was reinstated to practice law in the state of Texas.

**Summary**

In each of the disciplinary matters cited above, the disciplined attorney was directed to notify promptly, in writing, any clients with cases currently pending before the BIA, the Immigration Courts, or the DHS that he or she may no longer represent clients before these tribunals.

The Rules of Professional Conduct include provisions specifying grounds for disciplinary action, requirements for receiving and investigating complaints, and procedures for conducting hearings. The Rules also authorize the BIA to immediately suspend a practitioner who has been subject to disbarment, suspension, or resignation with an admission of misconduct as imposed by a state or Federal court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction.

EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent any matter before an immigration tribunal. EOIR also posts a “List of Suspended and Expelled Practitioners” on its Web site at <http://www.usdoj.gov/eoir> (near the bottom of EOIR’s home page).

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Additional information about the Attorney Discipline Program can be found at <http://www.usdoj.gov/eoir/press/00/profcond.htm> and <http://www.usdoj.gov/eoir/press/00/profcondfaks.htm> on the EOIR Web site.

EOIR is a component of the Department of Justice which, on behalf of the Attorney General, adjudicates cases involving aliens who are charged with immigration violations. EOIR has more than 220 Immigration Judges located in 52 Immigration Courts nationwide to conduct proceedings and decide cases, the BIA to hear appeals of Immigration Judge decisions, and the Office of the Chief Administrative Hearing Officer to handle employment-related immigration matters.

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