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## NEWS RELEASE

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### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct** *Three Attorneys Immediately Suspended, Five Receive Final Orders, One Is Reinstated*

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has taken disciplinary action against eight attorneys after charging them with violations of the Rules of Professional Conduct for immigration practitioners. One attorney was reinstated after he completed his suspension and petitioned for reinstatement. The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 1003 and 1292). In most cases, the disciplinary action is initiated as a result of sanctions imposed by other jurisdictions or a criminal conviction.

Although the disciplinary process may vary according to the specific circumstances of each case, generally it includes the following steps:

Disciplinary proceedings begin with a 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 requires the attorney to respond to the alleged violations. In some cases, a Petition for Immediate Suspension also is filed and the BIA orders the attorney to be suspended immediately from practice before the immigration courts, the BIA, and the DHS. (DHS joins EOIR in taking the disciplinary action.) Disciplined attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS. Disciplined attorneys must petition and be reinstated by the BIA before they can resume the practice of law before the BIA, the immigration courts, and the DHS.

#### **Immediate Suspension**

The BIA ordered the immediate suspension of the following attorneys:

- **Randhir S. Kang:** He was disbarred by the United States Court of Appeals for the Ninth Circuit from the practice of law in that court for his “grossly inadequate” representation of clients. He was immediately suspended by the BIA on Jan. 27, 2006, based on his disbarment, pending final disposition of his case.

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- □ **Jorge H. Galvez:** He was suspended from the practice of law pending final disposition of disciplinary proceedings by the Third Judicial District Court for Utah for failing to diligently and competently represent clients in 20 separate matters. He resigned with discipline pending. He was immediately suspended by the BIA on Jan. 30, 2006, based on his interim suspension and resignation with discipline pending in Utah, pending final disposition of his case.
  
- □ **James Carlisle Regan:** He was disbarred from the practice of law by the Supreme Court of California for illegally splitting fees with a non-lawyer, engaging in false advertising, committing an act of moral turpitude, and aiding in the unauthorized practice of law relating to immigration matters. He was immediately suspended by the BIA on Jan. 30, 2006, based on his disbarment in California, pending final disposition of his case.

### **Final Orders of Discipline**

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

- **Mario Antonio Bautista:** A final order of Jan. 24, 2006, suspends him indefinitely from practice before immigration tribunals, effective Dec. 2, 2005, based on his felony criminal conviction and interim suspension in California.
  
- **Alexander Goldman:** A final order of Jan. 30, 2006, expels him from practice before immigration tribunals, effective Nov. 22, 2005, based on his 3-year suspension in Illinois for neglect, misrepresentation, and a felony conviction.
  
- **Rico C. Reyes:** A final order of Jan. 30, 2006, suspends him indefinitely from practice before immigration tribunals, effective Dec. 2, 2005, based on his indefinite suspension in Texas for non-payment of dues and occupational taxes.
  
- **David J. Rodkin:** An amended final order of Jan. 30, 2006, suspends him for 6 months, effective Aug. 22, 2005, based on his 6-month suspension in New York for, among other things, aiding the unauthorized practice of law.
  
- **Gregory S. Wilson:** A final order of Jan. 30, 2006, expels him from practice before immigration tribunals, effective Nov. 22, 2005, based on his 9-month suspension in Washington State and subsequent resignation in lieu of disbarment for, among other things, lack of diligence, lack of competence, and engaging in the unauthorized practice of law.

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## **Reinstatement**

The BIA reinstated the following attorney to practice before the immigration tribunals:

- **Leroy Allan Martin:** He was reinstated on Jan. 31, 2006, after he had completed his 60-day suspension, effective June 18, 2005, imposed on Dec. 29, 2005.

## **Background**

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 federal or state court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction. They are available on the EOIR website at [http://www.usdoj.gov/eoir/vll/fedreg/2000\\_2001/fr27jn00R.pdf](http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf).

EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent clients in any matter before an immigration tribunal. EOIR also posts a “List of Disciplined Practitioners” on its website at <http://www.usdoj.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every new immediate suspension or final order issued beginning June 27, 2005, can be accessed through this list by clicking on the highlighted “date” link. Links to older orders, issued since July 2000, will be included gradually.

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 website.

*EOIR is responsible for adjudicating immigration cases. Specifically, under delegated authority from the Attorney General, EOIR interprets and administers federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. EOIR consists of three components: the Office of the Chief Immigration Judge, which is responsible for managing the numerous immigration courts located throughout the United States where immigration judges adjudicate individual cases; the Board of Immigration Appeals, which primarily conducts appellate reviews of immigration judge decisions; and the Office of the Chief Administrative Hearing Officer, which adjudicates immigration-related employment cases. EOIR is committed to providing fair, expeditious, and uniform application of the nation's immigration laws in all cases.*

*Information about EOIR immigration proceedings is available on EOIR's website <http://www.usdoj.gov/eoir/press/subject.htm>.*

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