



**U.S. Department of Justice**  
Executive Office for Immigration Review  
*Office of the Director*  
5107 Leesburg Pike, Suite 2600  
Falls Church, Virginia 22041

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## NEWS RELEASE

**Contact:** Office of Legislative and Public Affairs  
(703) 305-0289 Fax: (703) 605-0365  
**Internet:** [www.usdoj.gov/eoir/](http://www.usdoj.gov/eoir/)

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

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has recently taken disciplinary action against 12 attorneys for violations of the Rules of Professional Conduct for immigration practitioners. One attorney was reinstated.

EOIR announces these disciplinary actions to inform the public about practitioners who are no longer authorized to represent clients before an immigration tribunal. In most cases, EOIR has disciplined the practitioner based on a sanction imposed by another jurisdiction or a criminal conviction.

Disciplinary proceedings begin when the Office of the General Counsel of either EOIR or the U.S. Citizenship and Immigration Services, Department of Homeland Security (DHS), files a Notice of Intent to Discipline with EOIR's Board of Immigration Appeals (BIA). The disciplinary action can result in the suspension or expulsion of a practitioner before the immigration courts, the BIA, and DHS. Attorneys who are suspended or expelled must be reinstated by the BIA before they can resume the practice of law before the BIA, the immigration courts, and DHS.

EOIR has recently taken the following disciplinary actions:

#### **Immediate Suspensions**

The BIA ordered the immediate suspension of the following attorneys:

- **Ben B. Boothe, Jr.:** He was suspended from the practice of law for 30 months by the District Court, Tarrant County, Texas, 48<sup>th</sup> Judicial District for violations of the state's Rules of Professional Conduct. He was immediately suspended by the BIA on April 17, 2009, based on his 30-month suspension in Texas, pending final disposition of his case.

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- **Maxime Austria Frias:** He was suspended from the practice of law by the Virginia State Bar Disciplinary Board for his conviction in the U.S. District Court, Eastern District of Virginia. He was immediately suspended by the BIA on April 14, 2009, based on his suspension in Virginia, pending final disposition of his case.
- **Kurt Anthony Miller:** He was placed on involuntary inactive enrollment status by the California State Bar Court, Hearing Department, for issues involving competence, communication, and trust account violations. He was immediately suspended by the BIA on April 2, 2009, based on his inactive enrollment status in California, pending final disposition of his case.
- **Osamwonyi Ehi Osagiede:** He was suspended indefinitely from the practice of law by the Supreme Judicial Court for Suffolk County, Massachusetts, for violations of the state's Rules of Professional Conduct. He was immediately suspended by the BIA on April 17, 2009, based on his suspension in Massachusetts, pending final disposition of his case.
- **Natalia V. Poliakova:** She was suspended from the practice of law for 30 days by the Supreme Court of Florida for violations of the state's Rules of Professional Conduct. She was immediately suspended by the BIA on April 17, 2009, based on her 30-day suspension in Florida, pending final disposition of her case.
- **Michael H. Sneed:** He was suspended from the practice of law for 18 months by the Supreme Court of Tennessee for violations of the state's Rules of Professional Conduct. He was immediately suspended by the BIA on April 17, 2009, based on his 18-month suspension in Tennessee, pending final disposition of his case.

### Final Orders of Discipline

- **Jose L. Del Castillo:** A final order of April 6, 2009, suspends him from practice before immigration tribunals for 1 year, effective June 24, 2008, based on his criminal conviction in Connecticut.
- **Juan Antonio Molina:** A final order of April 21, 2009, expels him from practice before immigration tribunals, effective June 8, 2007, based on his disbarment in California.
- **Guillermo Pena:** A final order of April 21, 2009, suspends him from practice before immigration tribunals for 5 years, effective May 10, 2007, based on his disbarment in Florida.

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- **Mark R. Quinn:** A final order of April 21, 2009, suspends him from practice before immigration tribunals for 5 years, effective Oct. 23, 2007, based on his disbarment in the District of Columbia.
- **James Rosenberg:** A final order of March 5, 2009, suspends him from practice before immigration tribunals for 1 year based on his 1-year suspension by the U.S. Court of Appeals for the Ninth Circuit.
- **Marie Gilberte Thompson, a.k.a. Marie Gilberte Estime-Thompson:** A final order of April 21, 2009, suspends her from practice before immigration tribunals for 5 years, effective Dec. 14, 2007, based on her disbarment in Florida.

### Reinstatements

- **Patrick J. Cole:** He was suspended from the practice of law for 30 days by the District of Columbia Court of Appeals for violations of the Rules of Professional Conduct. He was immediately suspended by the BIA on April 17, 2009, based on his 30-day suspension in the District of Columbia, pending final disposition of his case. A final order of May 29, 2009, suspended him from practice before immigration tribunals for 30 days, effective April 17, 2009. He was reinstated to practice before immigration tribunals on June 15, 2009, after he completed his 30-day suspension before EOIR.

### Background

The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 1003 and 1292). They 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 suspend immediately 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. The Rules of Professional Conduct are available at [http://www.usdoj.gov/eoir/vll/fedreg/2000\\_2001/fr27jn00R.pdf](http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf) and [http://www.usdoj.gov/eoir/vll/fedreg/2008\\_2009/fr18dec08c.pdf](http://www.usdoj.gov/eoir/vll/fedreg/2008_2009/fr18dec08c.pdf).

A “List of Disciplined Practitioners” is available at <http://www.usdoj.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every immediate suspension or final order issued can be accessed through this list by clicking on the highlighted “date” link.

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/09/AttorneyDisciplineFactSheet.pdf>.

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*The Executive Office for Immigration Review (EOIR) is an agency within the Department of Justice. Under delegated authority from the Attorney General, immigration judges and the Board of Immigration Appeals interpret and adjudicate immigration cases according to United States immigration laws. EOIR's immigration judges conduct administrative court proceedings in immigration courts located throughout the nation. They determine whether foreign-born individuals—who are charged by the Department of Homeland Security with violating immigration law—should be ordered removed from the United States or should be granted relief from removal and be permitted to remain in this country. The Board of Immigration Appeals primarily reviews appeals of decisions by immigration judges. EOIR's Office of the Chief Administrative Hearing Officer adjudicates immigration-related employment cases. EOIR is committed to ensuring fairness in all of the cases it adjudicates.*