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NEWS RELEASE

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EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct *Five 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 11 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:

- **Alexander O. Akpodiete:** He was suspended from the practice of law by the Supreme Court of Florida for violations involving diligence and fees for legal services. He was immediately suspended by the BIA on Sept. 3, 2008, based on his suspension in Florida, pending final disposition of his case.

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- **Troy A. Baker:** He was disbarred by the Supreme Court of Nevada for numerous violations of the state's Rules of Professional Conduct. He was immediately suspended by the BIA on Sept. 3, 2008, based on his disbarment in Nevada, pending final disposition of his case.
- **James D. Hollister:** He was suspended from the practice of law for 30 months by the U.S. Court of Appeals for the 9th Circuit for violations of the court's rules and orders. He was immediately suspended by the BIA on Sept. 5, 2008, based on his 30-month suspension, pending final disposition of his case.
- **Ngoyi Paul Ngoyi:** He was disbarred in Texas for numerous violations of the state's Rules of Professional Conduct. He was immediately suspended by the BIA on Aug. 21, 2008, based on his disbarment in Texas, pending final disposition of his case.
- **Eugene Paolino:** He was placed on involuntary inactive enrollment status by the California State Bar Court, Hearing Department, for numerous violations of the state's rules of professional conduct. He was immediately suspended by the BIA on Aug. 19, 2008, based on his involuntary inactive enrollment status, pending final disposition of his case.

Final Orders of Discipline

- **Richard Michael Elinski:** A revised final order of Aug. 22, 2008, vacates a previous order of Oct. 10, 2007, and suspends him indefinitely from practice before immigration tribunals, effective Sept. 14, 2007, based on his 6-month suspension in California.
- **John Himmelstein:** A final order of Sept. 9, 2008, suspends him from practice before immigration tribunals, for 1 year and 1 day, effective Aug. 1, 2008, based on his suspension in the Commonwealth of Massachusetts for 1 year and 1 day.
- **Carlos E. Morales:** A final order of Aug. 21, 2008, suspends him from practice before immigration tribunals for 5 years based on his disbarment in Texas.
- **Nazanin Nasri:** A final order of Aug. 14, 2008, expels him from practice before immigration tribunals, effective June 24, 2008, based on his felony conviction in Virginia.
- **Juan Carlos Perez:** A final order of Aug. 21, 2008, suspends him from practice before immigration tribunals for 6 months, effective June 19, 2008, based on his 6-month suspension in Florida.

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- **Fernando E. Perez-Pena:** A final order of Aug. 28, 2008, expels him from practice before immigration tribunals, effective July 24, 2008, based on his 60-day suspension and ultimate resignation in Washington state.

Reinstatement

- **Rubina Arora Wadhwa:** She was reinstated to practice before immigration tribunals on Aug. 26, 2008, after she completed her 9-month 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.

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/00/profcondfaks.htm>.

— EOIR —

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.