

Falls Church, Virginia 22041

File: D2009-268

Date: **MAY 15 2013**

In re: PETER A. ALLEN

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

ON BEHALF OF DHS: Eileen M. Connolly, Appellate Counsel

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

On November 4, 2009, the Supreme Judicial Court for Suffolk County, Massachusetts, suspended the respondent from the practice of law for one year and one day. Consequently, on December 9, 2009, 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 December 22, 2009, the Board suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

On February 17, 2010, in an amended order, we suspended the respondent from practice before the Board, Immigration Courts, and the DHS, for one year and one day, effective December 22, 2009.

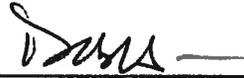
On October 10, 2012, we denied a reinstatement motion filed by the respondent, as he did not then meet the definition of attorney as set forth at 8 C.F.R. § 1001.1(f).

The respondent again moves that the Board reinstate him to practice. The EOIR Disciplinary Counsel does not oppose the petition for reinstatement, observing that the respondent now has presented evidence that he has been reinstated to the practice of law in Massachusetts, as well as the District of Columbia, New York, and the United States District Court for the Eastern District of New York, meets the definition of attorney under the regulation, and has completed the period of suspension. 8 C.F.R. §§ 1001.1(f), 1003.107(a)(2012). *See* 77 Fed. Reg. 2011, 2015 (Jan. 13, 2012); *see also* 78 Fed. Reg. 24669 (April 26, 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.

A handwritten signature in black ink, appearing to be "D. J. ...", is written above a horizontal line.

FOR THE BOARD