

Falls Church, Virginia 22041

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File: D2005-199

Date: DEC 14 2005

In re: HANI ALEX AZZAM, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Esquire

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

ORDER:

PER CURIAM. On July 21, 2005, the Supreme Judicial Court for Suffolk County, Commonwealth of Massachusetts, ordered that the respondent be administratively suspended from the practice of law, effective immediately.

Consequently, on August 11, 2005, the Office of General 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. On August 17, 2005, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) asked that the respondent be similarly suspended from practice before that agency. Therefore, on September 1, 2005, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

The respondent moves that we reinstate him to practice before the Board, the Immigration Courts, and the DHS. He presents evidence that he was reinstated to the practice of law in Massachusetts on October 26, 2005. The Office of General Counsel for the Executive Office for Immigration Review, who initiated these disciplinary proceedings, does not oppose the motion and notes that the respondent appears to meet the definition of attorney as provided in 8 C.F.R. § 1001.1(f). The OGC states, however, that if the respondent "become[s] subject to discipline in the future in the Commonwealth of Massachusetts as a result of conduct associated with the pending disciplinary matter in that state", it may file a Notice of Intent to Discipline against the respondent.

Given that the respondent's motion is unopposed, we find that the respondent should be and hereby is reinstated to practice before the Board, the Immigration Courts, and the DHS, as of the date of this order. Because the respondent has been reinstated, public notices regarding the respondent's suspension by the Board should be withdrawn. If the respondent wishes to represent a party before the Board, he must file a Notice of Appearance (Form EOIR-27), including any case in which he was formerly counsel, prior to his suspension.

  
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FOR THE BOARD