

Falls Church, Virginia 22041

File: D2009-061

Date:

APR 17 2009

In re: BEN B. BOOTHE, JR., ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

PETITION FOR IMMEDIATE SUSPENSION

ON BEHALF OF DHS: Rachel A. McCarthy, Bar Counsel

ON BEHALF OF EOIR: Scott Anderson, Deputy Disciplinary Counsel

On March 5, 2009, the District Court, Tarrant County, Texas, 48th Judicial District, suspended the respondent from the practice of law for 78 months, with 30 months' active suspension, with conditions, beginning March 15, 2009. Consequently, on April 2, 2009, the Department of Homeland Security (the "DHS"), initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. The Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) then asked that the respondent be similarly suspended from practice before EOIR, including the Board and Immigration Courts. The petition will be granted.

ORDER: The petition is granted, and the respondent is hereby suspended, absent a showing of good cause, from the practice of law before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. See 8 C.F.R. § 1003.103(a); 1292.3(c).

FURTHER ORDER: The respondent is directed to promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the DHS that the respondent has been suspended from practicing before these bodies.

FURTHER ORDER: The respondent shall maintain records to evidence compliance with this order.

FURTHER ORDER: The Board directs that the contents of this notice be made available to the public, including at Immigration Courts and appropriate offices of the DHS.



FOR THE BOARD