

Falls Church, Virginia 22041

File: D2011-024

Date:

In re: KOSTON HUI FENG a.k.a. KOSTON F. PELLY, ATTORNEY

OCT 26 2011

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

ON BEHALF OF DHS: Eileen M. Connolly
Chief, Immigration Court Practice Section - East

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

On September 28, 2010, the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, suspended the respondent from the practice of law for a period of six months, effective October 29, 2010, and until further order of the court. Consequently, on March 21, 2011, 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.

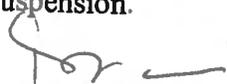
The Department of Homeland Security (the "DHS") then asked that the respondent be similarly suspended from practice before that agency. On April 12, 2011, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. On May 25, 2011, we suspended the respondent from practice before the Board, Immigration Courts, and the DHS, for six months, effective April 12, 2011.

The respondent moves that the Board reinstate him to practice. The EOIR Disciplinary Counsel does not oppose the petition for reinstatement, observing that the respondent is now eligible to practice law in New York, and has completed the period of suspension. 8 C.F.R. §§ 1001.1(f), 1003.107(a). 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.



FOR THE BOARD