

Falls Church, Virginia 22041

File: D2002-152

Date: APR - 8 2003

In re: MICHAEL LOUIS LEAVITT, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

PETITION FOR IMMEDIATE SUSPENSION

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

ON BEHALF OF SERVICE: Theresa A. Repede, Appellate Counsel

ORDER:

PER CURIAM. On February 19, 2002, the New York Supreme Court, Appellate Division, First Judicial Department suspended the respondent from the practice of law in that state for a period of 18 months.

Consequently, on March 3, 2003, the Office of General Counsel for the Executive Office for Immigration Review initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. On March 7, 2003, the Immigration and Naturalization Service ("the Service", now part of the Department of Homeland Security, (DHS)) asked that the respondent be similarly suspended from practice before that agency.

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 Service pending final disposition of this proceeding. *See* 8 C.F.R. § 1003.103(a).¹

Accordingly, the respondent is directed to promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the Service that the respondent has been suspended from practicing before these bodies. The respondent shall maintain records to evidence compliance with this order. Moreover, we direct that the contents of this notice be made available to the public, including at Immigration Courts and appropriate offices of the Service.



FOR THE BOARD

¹Regulations relating to the Executive Office for Immigration Review, found in title 8 of the Code of Federal Regulations, were reorganized on February 28, 2003, due to the Homeland Security Act of 2002. *See* 68 FR 9824 (February 28, 2003). There was no substantive changes made to the regulations. *Id.* at 9825. Until February 28, 2003, 8 C.F.R. § 1003.103(a) was found at 8 C.F.R. § 3.103(a).