

Falls Church, Virginia 22041

---

---

File: D2000-052

Date: DEC 12 2000

In re: CURTIS L. SOLOMON, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF GENERAL COUNSEL: Jennifer Barnes, Esquire

ON BEHALF OF SERVICE: Barry O'Melinn, Appellate Counsel

ORDER:

PER CURIAM. On November 27, 1991, the District of Columbia Court of Appeals suspended the respondent from the practice of law for 30 days, with his reinstatement conditioned on his restitution of fees and costs to a client. To date, the respondent has neither sought nor been granted reinstatement.

Consequently, on September 1, 2000, the Office of General Counsel for the Executive Office for Immigration Review (OGC) initiated disciplinary proceedings against the respondent by issuing and properly serving a Notice of Intent to Discipline. On September 7, 2000, the Immigration and Naturalization Service moved to join in the disciplinary action. On October 23, 2000, we suspended the respondent from practicing before the Board, the Immigration Courts, and the Service pending final disposition of this proceeding.

The respondent was required to file a timely answer to the allegations contained in the Notice of Intent to Discipline. *See* 65 Fed. Reg. 39,513, 39,528 (June 27, 2000) (to be codified at 8 C.F.R. § 3.105(c)(1)). Though the respondent was properly served, the respondent has not filed an answer. *Id.* at 35,529 (to be codified at 8 C.F.R. § 3.105(d)). This failure constitutes an admission of the allegations in the Notice of Intent to Discipline. *Id.*

The OGC asks us to suspend the respondent from practice before the Executive Office for Immigration Review for a period of 30 days, and the Service asks for that discipline to extend to practice before it as well. We find this sanction warranted in light of the action by the District of Columbia Court of Appeals. *See id.* Accordingly, we grant the requests of the OGC and the Service. As the respondent is currently under our October 23, 2000, order of suspension, we will deem the 30 day period of suspension to have commenced on that date. The respondent is instructed to maintain compliance with the directives set forth in our prior order. The respondent is also instructed to notify the Board if any further disciplinary action is taken against him.

At the end of the respondent's suspension period, the respondent will be reinstated to practice before the Board, the Immigration Courts, and the Service, provided that he meets the definition of an attorney or representative set forth in 8 C.F.R. § 1.1(f) and (j). *See id.* at 39,530 (to be codified at 8 C.F.R. § 3.107(a)). The respondent is therefore instructed, upon the conclusion of his suspension period, to notify the Board of his standing before the District of Columbia Court of Appeals and his ability to practice law in the District of Columbia. The respondent is also instructed to provide appropriate evidence of his reinstatement and to disclose the terms and conditions, if any, of his reinstatement. Once the respondent demonstrates to our satisfaction that he has been fully reinstated to practice law in that state, we shall reinstate him to practice before the EOIR and the Service as well.

Finally, given the reciprocal nature of the discipline we impose, we advise the respondent that, should he be reinstated to practice in the District of Columbia during his period of suspension, we will entertain a request for reinstatement before EOIR and the Service if that request complies with the instructions set forth above.



FOR THE BOARD