

Falls Church, Virginia 22041

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File: D2010-231

Date:

≡ JAN 5 - 2011

In re: BRENNAN L. STEWART, ATTORNEY

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 April 15, 2010, the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, suspended the respondent from the practice of law for a period of six months, effective May 17, 2010, and until further order of the court. Consequently, on July 27, 2010, 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. Therefore, on August 11, 2010, we suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. On September 27, 2010, we suspended the respondent from practice before the Board, Immigration Courts, and the DHS, for six months, nunc pro tunc to April 15, 2010.

The respondent moves that the Board reinstate her to practice. The EOIR Disciplinary Counsel does not oppose the petition for reinstatement, observing that the respondent has presented evidence that she has been reinstated to the practice of law in New York, and the respondent has completed her 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, she must file a Notice of Appearance (Form G-28 or Form EOIR-27), including any case in which she was formerly counsel, prior to her suspension.

  
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FOR THE BOARD