

Falls Church, Virginia 22041

File: D2012-020

Date: MAR 5 2013

In re: KAVEH ARDALAN, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

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

ON BEHALF OF DHS: Diane H. Kier  
Associate Legal Advisor

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

On November 30, 2011, the respondent was suspended from the practice of law for two years, stayed, with an actual suspension of one year, and probation for two years, by the Supreme Court of California. Consequently, on February 15, 2012, 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 March 1, 2012, the Board suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

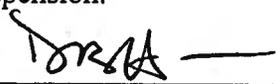
On April 3, 2012, we issued a final order of discipline, and suspended the respondent from practice before the Board, Immigration Courts, and the DHS, for one year, effective March 1, 2012.

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 has presented evidence that he is now eligible to practice law in California, and has completed the period of suspension. 8 C.F.R. §§ 1001.1(f), 1003.107(a)(2012). See 77 Fed. Reg. 2011, 2015 (Jan. 13, 2012). 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.

  
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FOR THE BOARD