



U.S. Department of Justice
Executive Office for Immigration Review
Office of the Director
5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

NEWS RELEASE

Contact: Public Affairs Office
(703)305-0289, Fax: (703)605-0365
Internet: www.usdoj.gov/eoir

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EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct

Three Receive Final Orders; Two Receive Immediate Suspension

The Executive Office for Immigration Review (EOIR) has taken disciplinary action against five attorneys after charging them with violations of the rules of professional conduct for immigration practitioners provided in Title 8 of the Code of Federal Regulations (8 CFR Parts 3 and 292). The attorneys' rule violations arose out of sanctions imposed by other jurisdictions.

Disciplinary proceedings began in each case with a Petition for Immediate Suspension and Notice of Intent to Discipline filed with the Board of Immigration Appeals (BIA) by EOIR's Office of the General Counsel. The BIA then ordered each attorney to be suspended immediately from practice before the Immigration Courts, the BIA, and the Immigration and Naturalization Service (INS) and required the attorney to respond to the alleged violations.

Final Orders of Discipline

The BIA issued a Final Order of Discipline against the following attorneys after they failed to respond as required to the Notice of Intent to Discipline:

- **Richard Acevedo**, disbarred from the practice of law in the state of Texas, was suspended by the BIA on October 8, 2002. The Final Order of October 22, 2002, suspends him from practice before the immigration tribunals for five years.
- **Victor S. Martinez**, suspended from the practice of law in the state of California, was suspended by the BIA on October 9, 2002. The Final Order of November 1, 2002, suspends him from practice before the immigration tribunals for nine months.
- **Wayne A. Rodney**, suspended from the practice of law in the state of Pennsylvania, was suspended by the BIA on October 7, 2002. The Final Order of November 1, 2002, suspends him from practice before the immigration tribunals for one year and one day.

Immediate Suspensions

The BIA ordered immediate suspensions of the following attorneys:

- **Jose L. Trujillo**, disbarred from the practice of law in Utah, was suspended by the BIA on November 6, 2002, pending final disposition of his case.
- **David K. Burgess**, disbarred from the practice of law in California, was suspended by the BIA on November 7, 2002, pending final disposition of his case.

Summary

In each of the disciplinary matters cited above, the suspended attorney was directed to notify promptly, in writing, any clients with cases currently pending before the BIA, the Immigration Courts, or the INS that he or she may no longer represent clients before these tribunals.

The rules of professional conduct include provisions specifying grounds for disciplinary action, requirements for receiving and investigating complaints, and procedures for conducting hearings. The rules also authorize the BIA to suspend immediately a practitioner who has been subject to disbarment, suspension, or resignation with an admission of misconduct as imposed by a state or federal court, pending a summary proceeding and final sanction.

EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent any matter before an immigration tribunal. EOIR also posts a list of suspended and expelled practitioners on its Web site at www.usdoj.gov/eoir.

Additional information about the Attorney Discipline Program can be found on the EOIR Web site.

EOIR, a component of the Department of Justice, is responsible for providing due process to individuals who are charged with immigration law violations. EOIR has more than 220 Immigration Judges located in 52 Immigration Courts nationwide to conduct proceedings and decide individual cases. The agency also includes the BIA to hear appeals of Immigration Judge decisions and the Office of the Chief Administrative Hearing Officer to handle employment related immigration matters.