

Falls Church, Virginia 22041

File: D2015-0205

Date: NOV 18 2015

In re: MICHAEL HOCINE SAID, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE

ON BEHALF OF EOIR: Jennifer J. Barnes
Disciplinary Counsel

ON BEHALF OF DHS: Jeannette V. Dever
Associate Legal Advisor

ON BEHALF OF RESPONDENT: Mathew C. McDermott, Esquire

The respondent will be suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security (the "DHS") for 30 days, nunc pro tunc to September 4, 2015, and will be immediately reinstated to practice before these tribunals.

On September 4, 2015, the Supreme Court of Iowa suspended the respondent from the practice of law in that state for 30 days. Consequently, on September 17, 2015, the Disciplinary Counsel for the Executive Office for Immigration Review (EOIR) petitioned for the respondent's immediate suspension from practice before the Board and the Immigration Courts. The Disciplinary Counsel for the DHS then asked that the respondent be similarly suspended from practice before that agency. We granted the petition for immediate suspension on October 9, 2015.

On October 19, 2015, the respondent filed an "Answer and Affirmative Defense to Petition for Immediate Suspension" and requested a hearing. 8 C.F.R. § 1003.105(c)(1). The EOIR Disciplinary Counsel thereafter filed a "Motion For Summary Adjudication", on October 20, 2015.

In his answer, the respondent admits all of the allegations against him. The respondent asks only that any suspension before the Board be deemed to have run concurrently with his suspension in Iowa from September 4, 2015, to October 4, 2015. In support of his request, the respondent states that he refrained from all practice of law during his period of suspension and complied with all notice requirements. He also states that he has been reinstated to practice in Iowa. The EOIR Disciplinary Counsel does not oppose the respondent's request and has asked that the respondent be immediately reinstated to practice as his period of suspension has ended.

There are no material issues of fact in dispute, and the EOIR Disciplinary Counsel's proposed sanction of 30 days is appropriate, in light of the respondent's suspension by the Supreme Court of Iowa. The Board therefore will honor that proposal. Further, after consideration of the respondent's filings, as well as the EOIR Disciplinary Counsel's response,

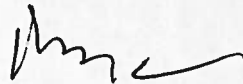
we will deem the suspension to be imposed nunc pro tunc to September 4, 2015, the date the respondent's suspension in Iowa began. In addition, as the respondent now has been suspended for over 30 days, we will reinstate him to practice before the Board, the Immigration Courts and the DHS.

ORDER: The Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS, for 30 days, nunc pro tunc to September 4, 2015.

FURTHER 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, the Immigration Courts or Board, he must file a Notice of Appearance (Form G-28, Form EOIR-28 or Form EOIR-27) even in cases in which he was counsel prior to his suspension.



FOR THE BOARD