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## NEWS RELEASE

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### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct** *Two Attorneys Immediately Suspended; One Receives Final Orders*

The Executive Office for Immigration Review (EOIR) has taken disciplinary action against three attorneys after charging them with violations of the rules of professional conduct for immigration practitioners. These rules appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 3 and 292).

The attorneys' violations arose either out of sanctions imposed by other jurisdictions or a criminal conviction.

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 the Office of the General Counsel of either EOIR or the Department of Homeland Security (DHS). The BIA then ordered each attorney to be suspended immediately from practice before the Immigration Courts, the BIA, and the DHS. (DHS joined EOIR in taking the disciplinary action.) The BIA also required these attorneys to respond to the alleged violations.

#### **Immediate Suspension**

The BIA ordered the immediate suspensions of the following attorneys:

- **John Kirby Vawter:** He was found guilty of one count of obstruction of a court order by the United States District Court for the Southern District of California. He was immediately suspended by the BIA on August 21, 2003, pending final disposition of his case.
- **Horace Hugo Perez:** He was suspended from the practice of law for 60 days by the District of Columbia Court of Appeals, based on actions taken in an immigration case. He was immediately suspended by the BIA on September 15, 2003, pending final disposition of his case.

#### **Final Orders of Discipline**

The BIA issued a Final Order of Discipline against the following attorney:

- **Armando Javier Mendez:** He was suspended from the practice of law for 90 days by the Supreme Court of California for providing inadequate assistance in immigration cases. He was immediately suspended by the BIA on July 24, 2003, pending final disposition of his case. The final order of September 11, 2003, suspends him from practice before the immigration tribunals for 90 days, effective July 24, 2003.

(more)

**Summary**

In each of the disciplinary matters cited above, the disciplined attorney was directed to notify promptly, in writing, any clients with cases currently pending before the BIA, the Immigration Courts, or the DHS that he 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, or who has been convicted of a serious crime, 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 <http://www.usdoj.gov/eoir> (near the bottom of EOIR’s home page).

Additional information about the Attorney Discipline Program can be found at <http://www.usdoj.gov/eoir/press/00/profcond.htm> and <http://www.usdoj.gov/eoir/press/00/profcondfaks.htm> on the EOIR Web site.

EOIR is a component of the Department of Justice which, on behalf of the Attorney General, adjudicates cases involving aliens who are charged with immigration violations. EOIR has more than 220 Immigration Judges located in 52 Immigration Courts nationwide to conduct proceedings and decide cases, the BIA to hear appeals of Immigration Judge decisions, and the Office of the Chief Administrative Hearing Officer to handle employment-related immigration matters.

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