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NEWS RELEASE

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EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct *Three Attorneys Immediately Suspended; Four Receive Final Orders*

FALLS CHURCH, VA – The Executive Office for Immigration Review (EOIR) has taken disciplinary action against seven attorneys after charging them with violations of the Rules of Professional Conduct for immigration practitioners. The Rules appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 1003 and 1292). In most cases, the disciplinary action is initiated as a result of sanctions imposed by other jurisdictions or a criminal conviction.

Although the disciplinary process may vary according to the specific circumstances of each case, generally it includes the following steps:

Disciplinary proceedings begin with a 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 requires the attorney to respond to the alleged violations. In some cases, a Petition for Immediate Suspension also is filed and the BIA orders the attorney to be suspended immediately from practice before the Immigration Courts, the BIA, and the DHS. (DHS joins EOIR in taking the disciplinary action.) Disciplined attorneys are directed to notify promptly, in writing, any clients with cases currently pending before the BIA, the Immigration Courts, or the DHS that they may no longer represent clients before these tribunals.

Immediate Suspension

The BIA ordered the immediate suspension of the following attorneys:

- ! Denise A. Maniscalco:** She was suspended from the practice of law for 3 years by the Virginia State Bar Disciplinary Board for violating numerous disciplinary rules in her handling of a domestic relations case and an immigration matter. While she was immediately suspended by the BIA on December 23, 2003, the BIA stayed its immediate suspension order pending a decision by the Supreme Court of Virginia on Attorney Maniscalco's appeal. The Supreme Court of Virginia dismissed the appeal; therefore, the BIA lifted the stay it had previously imposed in this disciplinary matter. She was immediately suspended by the BIA on September 1, 2004, pending final disposition of her case.

(more)

Attorney Discipline

Page 2

- ! **Michael C. Hyde:** He was suspended from the practice of law for 30 days by the State of Michigan Attorney Discipline Board for failing to complete the services for which he was retained, failing to keep his clients informed about the status of their immigration cases, failing to tell his clients that he was moving to Florida, failing to return unearned fees, and abandoning his clients. He was immediately suspended by the BIA on September 9, 2004, pending final disposition of his case.
- ! **Joseph E. Sheridan:** He was disbarred from the practice of law by the Supreme Court of California for multiple acts of misconduct concerning an immigration client. He was immediately suspended by the BIA on September 9, 2004, pending final disposition of his case.

Final Orders of Discipline

The BIA issued Final Orders of Discipline against the following attorneys:

- ! **Mahmoud Alsafty:** He was disbarred from the practice of law by the Court of Appeals of Maryland for practicing law without a Maryland license, and then reciprocally disciplined by the Appellate Division, Supreme Court, Third Judicial Department in New York. He was immediately suspended by the BIA on May 7, 2004, pending final disposition of his case. The final order of August 16, 2004, suspends him from practice before the immigration tribunals for 1 year, effective March 30, 2004.
- ! **Michael G. Moore:** He was disbarred from the practice of law by the Supreme Judicial Court for Suffolk County, Commonwealth of Massachusetts, for making misrepresentations on his Massachusetts bar application and his “history of misconduct and his multiple misrepresentations.” He was immediately suspended by the BIA on September 25, 2003, pending final disposition of his case. The final order of August 16, 2004, suspends him from practice before the immigration tribunals for 2 years, effective September 25, 2003.
- ! **Jeffrey Gonzalez-Perez:** His license to practice law in Virginia was revoked for non-payment of dues. He also was suspended in the District of Columbia for non-payment of dues. He was immediately suspended by the BIA on August 4, 2004, pending final disposition of his case. The final order of August 20, 2004, suspends him from practice before the immigration tribunals for 2 years, effective August 4, 2004.
- ! **Toritsefe Nanna:** She resigned from the New York State Bar, effective April 15, 2004. The Appellate Division, Supreme Court, First Judicial Department in New York accepted her resignation and ordered her to make monetary restitution to former clients she identified in her affidavit of resignation. She was immediately suspended by the BIA on August 4, 2004, pending final disposition of her case. The final order of September 23, 2004, suspends her indefinitely from practice before the immigration tribunals based on her resignation from the practice of law in New York.

Background

The Rules of Professional Conduct include provisions specifying grounds for disciplinary action, requirements for receiving and investigating complaints, and procedures for conducting hearings. The
(more)

Attorney Discipline

Page 3

Rules also authorize the BIA to immediately suspend 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. They are available on the EOIR Web site at http://www.usdoj.gov/eoir/v11/fedreg/2000_2001/fr27jn00R.pdf.

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 charges of immigration violations. EOIR has more than 200 Immigration Judges located in 53 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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