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## **NEWS RELEASE**

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### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct** *Seven Attorneys Immediately Suspended; Eight Receive Final Orders; Four Are Reinstated*

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has recently taken disciplinary action against 15 attorneys for violations of the Rules of Professional Conduct for immigration practitioners. Four attorneys have been reinstated.

EOIR announces these disciplinary actions to inform the public about practitioners who are no longer authorized to represent clients before an immigration tribunal. In most cases, EOIR has disciplined the practitioner based on either a criminal conviction or a sanction that another jurisdiction imposed.

Disciplinary proceedings begin when the Office of the General Counsel of either EOIR or the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services, files a Notice of Intent to Discipline with EOIR's Board of Immigration Appeals (BIA). The disciplinary action can result in the suspension or expulsion of a practitioner before the immigration courts, the BIA and DHS. Before a suspended or expelled attorney can resume the practice of law before the immigration courts, the BIA and DHS, the BIA must reinstate that attorney.

EOIR has recently taken the following disciplinary actions:

#### **Immediate Suspensions**

The BIA ordered the immediate suspension of the following attorneys:

- **Carlos E. Castaneda:** The Supreme Court of California suspended Mr. Castaneda from the practice of law for nine months for engaging in conduct involving incompetence, conflicts of interest, and failure to communicate with clients. The BIA granted the government's petition for immediate suspension on April 13, 2010, based on Mr. Castaneda's nine-month suspension in California and pending final disposition of his case.

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- **Jeffrey William Green:** The Supreme Court of Illinois imposed upon Mr. Green an interim suspension from the practice of law. The BIA granted the government's petition for immediate suspension on March 2, 2010, based on Mr. Green's interim suspension in Illinois and pending final disposition of his case.
- **Valerie F. Hanserd:** The Supreme Judicial Court for Suffolk County, Mass., suspended Ms. Hanserd from the practice of law for one year and one day for engaging in conduct involving incompetence, conflicts of interest, and dishonesty, fraud, deceit, and misrepresentation. The BIA granted the government's petition for immediate suspension on April 14, 2010, based on Ms. Hanserd's suspension in Massachusetts and pending final disposition of her case.
- **Maria Teresa Lopez:** The Supreme Court of Florida permanently disbarred Ms. Lopez for committing a criminal act, engaging in trust account violations, and engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. The BIA granted the government's petition for immediate suspension on March 16, 2010, based on Ms. Lopez's disbarment in Florida and pending final disposition of her case.
- **Melissa Anne Shomber:** The Supreme Court of Oklahoma disbarred Ms. Shomber for multiple violations of the state's rules of professional conduct, including conduct involving neglect, collecting and retaining fees for which no services were provided, and practicing law after her license had been suspended in Oklahoma. The BIA granted the government's petition for immediate suspension on Feb. 25, 2010, based on Ms. Shomber's disbarment and pending final disposition of her case.
- **Tracy N. Tavilla:** The Supreme Judicial Court for Suffolk County, Mass., temporarily suspended Ms. Tavilla from the practice of law for posing a threat of substantial harm to clients or prospective clients. The BIA granted the government's petition for immediate suspension on May 5, 2010, based on Ms. Tavilla's temporary suspension in Massachusetts and pending final disposition of her case.
- **Michael Joseph Williams:** The State Bar of Texas suspended Mr. Williams from the practice of law for three months for engaging in conduct involving incompetence, lack of diligence, and failure to communicate with clients. The BIA granted the government's request for immediate suspension on April 14, 2010, based on Mr. Williams's three-month suspension in Texas and pending final disposition of his case.

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### Final Orders of Discipline

- **John G. Gissberg:** The Supreme Court of Washington suspended Mr. Gissberg from the practice of law for nine months for violations of the state's rules of professional conduct. The BIA granted the government's petition for immediate suspension on March 2, 2010, based on Mr. Gissberg's nine-month suspension in Washington and pending final disposition of his case. A final order of April 13, 2010, suspends Mr. Gissberg from practice before immigration tribunals for nine months, effective March 2, 2010, based on his nine-month suspension in Washington.
- **Theodore A. Mahr:** A final order of March 2, 2010, suspends Mr. Mahr from the practice before immigration tribunals for three years, effective Jan. 27, 2010, based on his three-year suspension in Washington.
- **Manuel O. Montelongo:** A final order of March 2, 2010, suspends Mr. Montelongo from practice before immigration tribunals for 3 years, effective Jan. 27, 2010, based on his disbarment in Nevada.
- **Carolyn Reinholdt:** The State Bar of California accepted a letter of resignation from Ms. Reinholdt while disciplinary charges were pending. The BIA granted the government's petition for immediate suspension on April 6, 2010, based on Ms. Reinholdt's resignation in California and pending final disposition of her case. A final order of May 5, 2010, suspends Ms. Reinholdt from practice before immigration tribunals for 5 years, effective April 6, 2010, based on her resignation from the State Bar of California.
- **Antonio Reyes-Vidal:** A final order of April 1, 2010, expels Mr. Reyes-Vidal from practice before immigration tribunals based on his disbarment in Texas.
- **Paul A. Schelly:** A final order of Feb. 18, 2010, suspends Mr. Schelly from practice before immigration tribunals, effective Oct. 30, 2008, based on his disbarment in California.
- **Toan Q. Thai:** A final order of March 2, 2010, suspends Mr. Thai from practice before immigration tribunals for 30 days, effective Jan. 27, 2010, based on his 30-day suspension in the District of Columbia.
- **Lloyd Ukwu:** A final order of March 2, 2010, suspends Mr. Ukwu from practice before immigration tribunals for 5 years, effective Oct. 16, 2007, based on his disbarment in the District of Columbia.

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## Reinstatement

- **Richard D. Garcia:** A final order of April 21, 2010, suspended Mr. Garcia from practice before immigration tribunals for 30 days, effective April 30, 2010, based on his 30-day suspension in Colorado. The BIA reinstated Mr. Garcia to practice before immigration tribunals on June 15, 2010, after he completed his 30-day suspension.
- **Rosalind A. Kelly:** The BIA reinstated Ms. Kelly to practice before immigration tribunals on May 5, 2010, after she completed her 2-year suspension.
- **Anthony Nwosu:** The BIA reinstated Mr. Nwosu to practice before immigration tribunals on April 6, 2010, after he completed his 18-month suspension.
- **Uchenna Samuel Ogbu-Nwobodo:** The BIA reinstated Mr. Ogbu-Nwobodo to practice before immigration tribunals on Feb. 25, 2010, after he completed his 60-day suspension.

## Background

The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 C.F.R. §§ 1003 and 1292). They 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 federal or state court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction. The Rules of Professional Conduct are available at [http://www.justice.gov/eoir/vll/fedreg/2000\\_2001/fr27jn00R.pdf](http://www.justice.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf) and [http://www.justice.gov/eoir/vll/fedreg/2008\\_2009/fr18dec08c.pdf](http://www.justice.gov/eoir/vll/fedreg/2008_2009/fr18dec08c.pdf).

A list of disciplined practitioners is available at <http://www.justice.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every immediate suspension or final order an attorney receives is accessible by clicking on the highlighted data link in this list.

Additional information about the Attorney Discipline Program can be found at <http://www.justice.gov/eoir/press/00/profcond.htm> and <http://www.justice.gov/eoir/press/09/AttorneyDisciplineFactSheet.pdf>.

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*The Executive Office for Immigration Review (EOIR) is an agency within the Department of Justice. Under delegated authority from the Attorney General, immigration judges and the Board of Immigration Appeals interpret and adjudicate immigration cases according to United States immigration laws. EOIR's immigration judges conduct administrative court proceedings in immigration courts located throughout the nation. They determine whether foreign-born individuals — whom the Department of Homeland Security (DHS) charges with violating immigration law — should be ordered removed from the United States or should be granted relief from removal and be permitted to remain in this country. The Board of Immigration Appeals primarily reviews appeals of decisions by immigration judges. EOIR's Office of the Chief Administrative Hearing Officer adjudicates immigration-related employment cases. EOIR is committed to ensuring fairness in all of the cases it adjudicates.*