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## NEWS RELEASE

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### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct** *Twelve Attorneys Immediately Suspended; Three Receive Final Orders; Two 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. Further, EOIR has reinstated two attorneys to practice.

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 a sanction imposed by another jurisdiction or a criminal conviction.

Disciplinary proceedings begin when the Office of the General Counsel of either EOIR or the U.S. Citizenship and Immigration Services, Department of Homeland Security (DHS), 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. Attorneys who are suspended or expelled must be reinstated by the BIA before they can resume the practice of law before the BIA, the immigration courts, and DHS.

EOIR has recently taken the following disciplinary actions:

#### **Immediate Suspensions**

The BIA ordered the immediate suspension of the following attorneys:

- **Ande Abraha:** He was suspended from the practice of law in New York and disbarred in New Jersey for multiple violations of those states' rules of professional conduct, including commingling personal and trust funds, knowingly misappropriating trust funds, and engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. He was immediately suspended on Feb. 12, 2008, based on his suspension in New York and his disbarment in New Jersey, pending final disposition of his case.

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- **Anthony Joseph Allegrino, II:** He was disbarred in California for misconduct involving competence, charging unconscionable fees, misappropriating funds, and improperly withdrawing from representation. He was immediately suspended by the BIA on Jan. 10, 2008, based on his disbarment in California, pending final disposition of his case.
- **Walter P. Bubna:** He was suspended from the practice of law in Ohio for 6 months for multiple violations of the state's rules of professional conduct, including misconduct involving issues of neglect, commingling of funds, and conduct that adversely reflects on an attorney's fitness to practice law. He was immediately suspended on Feb. 12, 2008, based on his 6-month suspension in Ohio, pending final disposition of his case.
- **William Shaw Carpenter:** He was suspended from the practice of law in Iowa for an interim period due to a disability that renders him unable to discharge his professional obligations. He was immediately suspended on Feb. 8, 2008, based on his interim suspension in Iowa, pending final disposition of his case.
- **Angel O. Cruz:** He was suspended from the practice of law in Texas for 24 months, with an active suspension of 3 months, for neglecting a legal matter. He was immediately suspended on Feb. 29, 2008, based on his 24-month suspension with a 3-month active suspension in Texas, pending final disposition of his case.
- **Melvin G. Duke:** He was disbarred in New York for, among other things, misappropriation of funds, engaging in conduct that is prejudicial to the administration of justice, and engaging in conduct that adversely reflects on his fitness as a lawyer. He was immediately suspended by the BIA on Jan. 8, 2008, based on his disbarment in New York, pending final disposition of his case.
- **Martin Resendez Guajardo:** He resigned from the U.S. Court of Appeals for the Ninth Circuit for admitted violations of the court's rules and orders. He was immediately suspended on March 5, 2008, based on his resignation from the U.S. Court of Appeals for the Ninth Circuit, pending final disposition of his case.
- **Albert S. Lefkowitz:** He was suspended from the practice of law in New York for 3 months for repeatedly aiding non-lawyers in the unauthorized practice of law, repeatedly engaging in conflicts of interest by failing to disclose potential divided loyalties and accepting compensation from an agency, and engaging in a pattern of professional misconduct that adversely reflected on his fitness as a lawyer. He was immediately suspended on Feb. 26, 2008, based on his 3-month suspension in New York, pending final disposition of his case.

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- **Noel L. Lippman:** He was suspended from the practice of law in Michigan for 1 year for making knowing and intentional misrepresentations in an answer to a request for investigation and making a false statement of material fact to a tribunal, in addition to neglecting an immigration matter. He was immediately suspended on Feb. 29, 2008, based on his 1-year suspension in Michigan, pending final disposition of his case.
- **Robert J. McQuade:** He was suspended from the practice of law for 180 days in Michigan for being arrested for possession of a synthetic narcotic and narcotic equipment, which constitutes conduct that violates a criminal law of a state or the United States, involves dishonesty, fraud, deceit, or misrepresentation or a violation of criminal law, exposes the legal profession to obloquy, contempt, censure, or reproach, and is contrary to justice, ethics, honesty, or good morals. He was immediately suspended by the BIA on Jan. 18, 2008, based on his suspension in Michigan, pending final disposition of his case.
- **Anthony Nwosu:** He was suspended from the practice of law for 18 months in the United States Court of Appeals for the Ninth Circuit for making false or misleading statements to the court with the intent to deceive the court, failing to maintain a current address with the court, filing defective briefs, and filing petitions for review before he became a member of the court's bar, all of which constitutes conduct unbecoming a member of the court's bar. He was immediately suspended on Jan. 18, 2008, based on his suspension in the United States Court of Appeals for the Ninth Circuit, pending final disposition of his case
- **Carl M. Weideman, III:** He was suspended from the practice of law in Michigan for 4 years for multiple violations of the state's rules of professional conduct, including misconduct involving a breach of his fiduciary obligations as executor of a California decedent's estate by loaning estate funds to himself and/or his law firm to finance litigation and to pay for personal debts. He was immediately suspended on Feb. 12, 2008, based on his 4-year suspension in Michigan, pending final disposition of his case.

### **Final Orders of Discipline**

- **Anthony Joseph Allegrino, II:** A final order of Feb. 12, 2008, expels him from practice before immigration tribunals, effective Jan. 10, 2008, based on his disbarment in California.
- **Alain Armand:** A final order of Feb. 12, 2008, suspends him from practice before immigration tribunals, effective Dec. 14, 2007, based on his 30-day and 91-day suspensions in Florida.

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- **Lauren Mason:** A final order of Jan. 31, 2008, suspends him from practice before immigration tribunals for 120 days, effective Jan. 31, 2008, based on his failures to appear for scheduled hearings in a timely manner without good cause in 13 separate immigration matters and his providing ineffective assistance of counsel in one immigration matter.

### **Reinstatements**

- **Eleanor Chen:** She was reinstated to practice before immigration tribunals on Feb. 8, 2008, after she completed her 60-day suspension before EOIR.
- **Barry R. Nager:** He was reinstated to practice before immigration tribunals on Feb. 26, 2008, after he completed his 90-day suspension before EOIR.

### **Background**

The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 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.usdoj.gov/eoir/vll/fedreg/2000\\_2001/fr27jn00R.pdf](http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf).

A “List of Disciplined Practitioners” is available at <http://www.usdoj.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every immediate suspension or final order issued can be accessed through this list by clicking on the highlighted “date” link.

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>.

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*EOIR, an agency within the Department of Justice, is responsible for adjudicating immigration cases. Specifically, under delegated authority from the Attorney General, EOIR interprets and administers federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. EOIR consists of three components: the Office of the Chief Immigration Judge, which is responsible for managing the numerous immigration courts located throughout the United States where immigration judges adjudicate individual cases; the Board of Immigration Appeals, which primarily conducts appellate reviews of immigration judge decisions; and the Office of the Chief Administrative Hearing Officer, which adjudicates immigration-related employment cases. EOIR is committed to providing the fair, expeditious, and uniform interpretation and application of immigration law in all cases.*