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## NEWS RELEASE

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### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct *Six Attorneys Immediately Suspended; 21 Receive Final Orders***

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has recently taken disciplinary action against 27 attorneys for violations of the Rules of Professional Conduct for immigration practitioners.

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:

- **Andrea Goode-James:** She was suspended temporarily from the practice of law by the Supreme Judicial Court for Suffolk County, Massachusetts. She was immediately suspended by the BIA on May 12, 2009, based on her temporary suspension in Massachusetts, pending final disposition of her case.

(more)

## Attorney Discipline

### Page 2

- **Barry Roy Nager:** He was disbarred from the practice of law by the Supreme Court of Florida for violations of the state's Rules of Professional conduct. He was immediately suspended by the BIA on June 2, 2009, based on his disbarment in Florida, pending final disposition of his case.
- **David E. Parker:** He was suspended from the practice of law by the Appellate Division of the Supreme Court of the State of New York, Fourth Judicial Department, for a criminal conviction in Illinois for conspiracy to defraud the United States. He was immediately suspended by the BIA on June 15, 2009, based on his suspension in New York, pending final disposition of his case.
- **Julie M. Prado:** She was suspended indefinitely from the practice of law by the Supreme Judicial Court for Suffolk County, Massachusetts, for issues relating to competence, diligence, and scope of representation. She was immediately suspended by the BIA on May 5, 2009, based on her indefinite suspension in Massachusetts, pending final disposition of her case.
- **Mark W. Scher:** He was suspended indefinitely from the practice of law by the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, for his inability to adequately defend himself due to disability by reason of physical infirmity, mental illness, or addiction to drugs or intoxicants. He was immediately suspended by the BIA on June 2, 2009, based on his indefinite suspension in New York, pending final disposition of his case.
- **Karen Lee Sims:** She was disbarred from the practice of law by the Supreme Court of Colorado after she was convicted of first degree murder. She was immediately suspended by the BIA on June 2, 2009, based on her disbarment in Colorado, pending final disposition of her case.

### Final Orders of Discipline

- **Michael C. Allen:** A final order of May 7, 2009, suspends him indefinitely from practice before immigration tribunals, effective March 11, 2009, based on his indefinite suspension in Kansas.
- **Mitchil O. Bechet:** A final order of May 7, 2009, suspends him from practice before immigration tribunals for 7 years, effective Dec. 21, 2000, based on his disbarment in New York.
- **David Keith Burgess:** A final order of May 5, 2009, suspends him from practice before immigration tribunals for 5 years, effective Nov. 7, 2002, based on his disbarment in California.

(more)

- **Joseph M. Carreiro, Jr.:** A final order of May 14, 2009, suspends him from practice before immigration tribunals for 2 years, effective Aug. 1, 2008, based on his 2-year suspension in Massachusetts.
- **Bart A. Chavez:** A final order of May 4, 2009, imposes upon him a public censure for engaging in contumelious or obnoxious conduct with immigration court personnel.
- **Maximiliano S. Garcia:** A final order of May 5, 2009, suspends him from practice before immigration tribunals for 5 years, effective Oct. 7, 2005, based on his disbarments in Arizona and California.
- **Susanna G. Garza:** She was disbarred from the practice of law in North Carolina for violations of the state's Rules of Professional Conduct. She was immediately suspended by the BIA on May 29, 2009, based on her disbarment in North Carolina, pending final disposition of her case. A final order of June 15, 2009, expels her from practice before immigration tribunals based on her disbarment in North Carolina.
- **Ricardo Gonzalez:** A final order of May 19, 2009, imposes upon him a public censure for failing to appear for scheduled hearings in a timely manner without good cause.
- **Jamila Harrison:** A final order of May 5, 2009, expels her from practice before immigration tribunals, effective Dec. 22, 2008, based on her disbarment in Georgia.
- **Carolyn Sue Janzen:** A final order of May 5, 2009, suspends her from practice before immigration tribunals for 5 years, effective Oct. 21, 2008, based on her 9-month suspension in California.
- **Eric J. Kapoor:** A final order of May 7, 2009, suspends him indefinitely from practice before immigration tribunals, effective Sept. 26, 2006, based on his disbarment in Maryland.
- **Alan Edward Koczela:** A final order of May 7, 2009, expels him from practice before immigration tribunals, effective Aug. 10, 2000, based on the revocation of his law license in Virginia.
- **Michael Levine:** A final order of May 5, 2009, suspends him from practice before immigration tribunals for 1 year and 1 day, effective July 27, 2006, based on his suspension in Pennsylvania.

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- **Aman Lopez:** A final order of May 29, 2009, suspends him from practice before immigration tribunals for 2 years, effective July 24, 2008, based on his 2-year suspension in Massachusetts.
- **Robert J. McQuade:** A final order of May 12, 2009, suspends him from practice before immigration tribunals for 180 days, effective Jan. 18, 2008, based on his suspension in Michigan.
- **Emil J. Molin:** A final order of May 5, 2009, suspends him indefinitely from practice before immigration tribunals, effective March 11, 2009, based on his indefinite suspension in Indiana.
- **Godfrey Y. Muwonge:** A final order of May 5, 2009, suspends him indefinitely from practice before immigration tribunals, effective June 24, 2008, based on his indefinite suspension in Wisconsin.
- **Osamwonyi Ehi Osagiede:** A final order of May 12, 2009, suspends him indefinitely from practice before immigration tribunals, effective April 17, 2009, based on his indefinite suspension in Massachusetts.
- **Jack Barry Phillips:** A final order of May 5, 2009, suspends him from practice before immigration tribunals for 3 years, effective Jan. 14, 2009, based on his 3-year suspension in Florida.
- **Kenneth L. Rothey:** A final order of May 29, 2009, suspends him indefinitely from practice before immigration tribunals, effective April 11, 2006, based on his suspension in Texas.
- **Abdoulai A. Swareh:** A final order of May 7, 2009, suspends him indefinitely from practice before immigration tribunals, effective Sept. 13, 2006, based on his disbarment by consent in the District of Columbia.

## 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) and [http://www.usdoj.gov/eoir/vll/fedreg/2008\\_2009/fr18dec08c.pdf](http://www.usdoj.gov/eoir/vll/fedreg/2008_2009/fr18dec08c.pdf).

(more)

## Attorney Discipline

### Page 5

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/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—who are charged by the Department of Homeland Security 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.*