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## NEWS RELEASE

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### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct** *One Attorney Immediately Suspended; Two Receive Final Orders; One is Reinstated*

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has recently taken disciplinary action against three attorneys for violations of the Rules of Professional Conduct for immigration attorneys and representatives. One attorney was reinstated.

EOIR announces these disciplinary actions to inform the public about attorneys and representatives who are no longer authorized to represent clients before an immigration tribunal. These names will be added to the list of disciplined immigration attorneys and representatives, which is available at <http://www.justice.gov/eoir/profcond/chart.htm>. The list includes links to immediate suspension orders, final orders, and reinstatement orders issued in each disciplinary case.

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 Petition for Immediate Suspension and/or a Notice of Intent to Discipline with EOIR's Board of Immigration Appeals (BIA). The disciplinary action can result in the public censure, suspension, or expulsion of an attorney or representative 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, or DHS, the BIA must reinstate that attorney.

EOIR has recently taken the following disciplinary actions:

#### **Immediate Suspension**

The BIA ordered the immediate suspension of the following attorney:

- **Kevin Gibbons:** The Supreme Court of Arizona temporarily suspended Mr. Gibbons from the practice of law. The BIA granted the government's petition for immediate suspension on June 27, 2011, based on Mr. Gibbons' temporary suspension in Arizona and pending final disposition of his case.

(more)

**Attorney Discipline**  
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**Final Orders of Discipline**

- **David P. De Costa:** A final order of June 24, 2011, suspends Mr. De Costa from practice before immigration tribunals for one year, effective May 5, 2011, based on his one-year suspension in Arizona.
- **Michael J. Hernandez:** A final order of June 24, 2011, suspends Mr. Hernandez from practice before immigration tribunals for 91 days, effective May 24, 2011, based on his 91-day suspension in Florida.

**Reinstatement**

- **Ronald S. Salomon:** Mr. Salomon was reinstated to practice before immigration tribunals on June 28, 2011, after completing his six-month 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 an attorney or representative 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).

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 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.*