

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IN PRACTITIONER DISCIPLINARY PROCEEDINGS  
BEFORE THE IMMIGRATION COURT**

---

**In the Matter of**

**DENISE A. MANISCALCO**

**Respondent.**

---

**Disciplinary Case # D2003-011**

**CONSENT AGREEMENT**

Respondent and the Office of the General Counsel (OGC), Executive Office for Immigration Review (EOIR), by the undersigned Bar Counsel, hereby submit this consent agreement pursuant to 8 C.F.R. § 1003.106(a)(1)(ii), and seek the Court's approval thereunder.

**Basis of Consent Order**

1. Respondent hereby declares that the foregoing is freely and voluntarily rendered, that she is not being subjected to coercion or duress, and that she is fully aware of the implications of this consent agreement.

2. Respondent acknowledges that OGC has met its burden of proof of the allegations set forth in the Notice of Intent to Discipline, to wit: that Respondent, an attorney admitted to

practice law in the state of Virginia, is subject to a final order of discipline issued by the Virginia State Bar Disciplinary Board, suspending her for a period of thirty-four (34) months and thirteen (13) days, effective October 19, 2004.<sup>1</sup> See Exhibit #1.

3. In consideration of the evidence filed with this motion, Respondent consents to a suspension of thirty-two (32) months and three (3) days, before the Immigration Courts, the Board of Immigration Appeals ("Board"), and the Department of Homeland Security ("DHS"), effective nunc pro tunc to October 19, 2004. This period of suspension recognizes the twenty-one (21) days (January 9 - January 30) and the forty-nine (49) days (September 1, 2004, - October 19, 2004) that Respondent has already spent on immediate suspension status by the Board of Immigration Appeals.

4. By this consent, Respondent acknowledges that she will not be eligible for reinstatement pursuant to 8 C.F.R. § 1003.107(b) until the completion of her suspension in Virginia. At that time, Respondent may file a notice with the Board, together with clear and convincing evidence that she meets the definition of attorney as set forth in 8 C.F.R. § 1.1(f), requesting that she be reinstated to practice before the Board, Immigration Courts, and DHS, pursuant to 8 C.F.R. § 1003.107(a). If Respondent files such notice with the requisite evidence of good standing, and OGC verifies that Respondent is, in fact, in good standing in Virginia, OGC will file a notice of non-opposition.

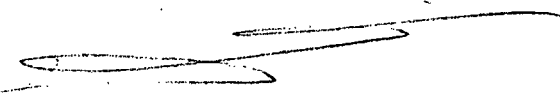
---

<sup>1</sup> The initial State Bar Disciplinary Board order, dated October 30, 2003, suspended Respondent for a period of three (3) years.

By consent, it is ORDERED AND ADJUDGED that Respondent shall be suspended from practice before the Board, Immigration Courts, and DHS, for thirty-two (32) months and three (3) days, nunc pro tunc to October 19, 2004, and until such further order of the Board on application for reinstatement pursuant to 8 C.F.R. § 1003.107(a).

CONSENTED TO:

Date:



Denise A. Maniscalco  
1325 18<sup>th</sup> Street, NW, Suite 103  
Washington, Dc 20036

Date: *November 30, 2004*



Jennifer J. Barnes  
Bar Counsel  
Executive Office for  
Immigration Review  
Office of the General Counsel  
5107 Leesburg Pike  
Suite 2600  
Falls Church, Virginia 22041

**SO ORDERED**

Date: *12/1/04*

**By the Immigration Court:**



Anne J. Greer  
Assistant Chief Immigration Judge