



U.S. Department of Justice
Executive Office for Immigration Review
Office of the Director
5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

NEWS RELEASE

Contact: Office of Legislative and Public Affairs
(703) 305-0289 Fax: (703) 605-0365
Internet: www.usdoj.gov/eoir/

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EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct *Four Attorneys Immediately Suspended; Five Receive Final Orders; One Is Reinstated*

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has taken disciplinary action against nine attorneys after charging them with violations of the Rules of Professional Conduct for immigration practitioners. One attorney was reinstated. The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 1003 and 1292). In most cases, the disciplinary action is initiated as a result of sanctions imposed by other jurisdictions or a criminal conviction.

Although the disciplinary process may vary according to the specific circumstances of each case, generally it includes the following steps:

Disciplinary proceedings begin with a Notice of Intent to Discipline filed with the Board of Immigration Appeals (BIA) by the Office of the General Counsel of either EOIR or U.S. Citizenship and Immigration Services, Department of Homeland Security (DHS). The BIA requires the attorney to respond to the alleged violations. In some cases, a Petition for Immediate Suspension also is filed and the BIA orders the attorney to be suspended immediately from practice before the immigration courts, the BIA, and the DHS. (DHS joins EOIR in taking the disciplinary action.) Disciplined attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS. Disciplined attorneys must petition and be reinstated by the BIA before they can resume the practice of law before the BIA, the immigration courts, and the DHS.

Immediate Suspension

The BIA ordered the immediate suspension of the following attorneys:

- **Carlos H. Caceres:** He was disbarred from the practice of law by the Court of Appeals of Maryland for multiple acts of wrongdoing, including neglect, engaging in conduct that involves dishonesty, fraud, deceit, or misrepresentation, and engaging in conduct that is prejudicial to the administration of justice. He was immediately suspended by the BIA on Dec. 13, 2006, based on his disbarment in Maryland, pending final disposition of his case.

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- □ **Juan Chacon:** He was placed on involuntary inactive enrollment status by the California State Bar Court, Hearing Department, for violating a condition of his probation ordered by the Supreme Court of California in a previous disciplinary matter. He was immediately suspended by the BIA on Nov. 20, 2006, based on his inactive status in California, pending final disposition of his case.
- □ **Richard G. Lehr:** He was suspended from the practice of law for 180 days by the Michigan Attorney Discipline Board for a misdemeanor conviction for conspiracy to use a controlled substance. He was immediately suspended by the BIA on Dec. 19, 2006, based on his suspension in Michigan, pending final disposition of his case.
- □ **Gary Anthony Siplin:** He was suspended indefinitely from the practice of law by the Supreme Court of Florida for his criminal conviction for grand theft and use of services of officers or employees. He was immediately suspended by the BIA on Jan. 30, 2007, based on his suspension in Florida, pending final disposition of his case.

Final Orders of Discipline

The BIA issued a Final Order of Discipline against the following attorneys:

- **Robert A. Cox:** A final order of Dec. 19, 2006, suspends him from practice before immigration tribunals for 2 years, effective Oct. 30, 2006, based on his suspension in Missouri for a minimum of 2 years after his probation was revoked.
- **Baird Cuber:** A final order of Jan. 3, 2007, expels him from practice before immigration tribunals, effective June 27, 2005, based on his disbarment in New York for neglect and incompetence.
- **Charles C. Day:** A final order of Jan. 18, 2007, expels him from practice before immigration tribunals, effective Nov. 29, 2006, based on his disbarment in New York for multiple acts of wrongdoing, including neglect, engaging in conduct that involves dishonesty, fraud, deceit, or misrepresentation, and engaging in conduct that is prejudicial to the administration of justice.
- **Kelechi Charles Emeziem:** A final order of Jan. 10, 2007, suspends him from practice before immigration tribunals for 18 months, effective Dec. 5, 2006, based on his 18-month suspension in California for failing to perform legal services with competence and failure to deposit funds into his trust account.

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- **Keith Jordan:** A final order of Jan. 25, 2007, imposes a public censure based on his multiple failures to appear for scheduled hearings in a timely manner without good cause. Attorney Jordan had previously received an informal admonition for similar misconduct.

Reinstatement

- **Clyde E. Lindsay:** He was reinstated on January 10, 2007, after he served his 1-year suspension, effective February 11, 2004, and was reinstated to the practice of law in the Commonwealth of Massachusetts.

Background

The Rules of Professional Conduct 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. They are available on the EOIR website at http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf.

EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent clients in any matter before an immigration tribunal. EOIR also posts a “List of Disciplined Practitioners” on its website at <http://www.usdoj.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every new immediate suspension or final order issued beginning June 27, 2005, can be accessed through this list by clicking on the highlighted “date” link. Links to older orders, issued since July 2000, will be included gradually.

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> on the EOIR website.

– EOIR –

EOIR 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 fair, expeditious, and uniform application of the nation's immigration laws in all cases.

Information about EOIR immigration proceedings is available on EOIR's website <http://www.usdoj.gov/eoir/press/subject.htm>.