

Falls Church, Virginia 22041

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File: D2008-242

Date:

**NOV 13 2008**

In re: JAMES L. LANE, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

FINAL ORDER OF DISCIPLINE/MOTION

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Bar Counsel

ON BEHALF OF DHS: Eileen M. Connolly, Appellate Counsel

ORDER:

PER CURIAM. On September 15, 2008, the Supreme Court of Oregon issued an order suspending the respondent from the practice of law for 30 days, effective September 19, 2008.

Consequently, on September 26, 2008, the Office of General Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. On September 29, 2008, the Department of Homeland Security (the "DHS") asked that the respondent be similarly suspended from practice before that agency. Therefore, on October 9, 2008, the Board suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding.

The respondent moves that the Board reinstate him to practice before the Board, the Immigration Courts, and the DHS, and provides evidence that he was reinstated to the Oregon State Bar on October 20, 2008. The Office of General Counsel does not oppose the request for reinstatement, although it implicitly argues that the Board should issue a final order of discipline against the respondent first. The DHS is not opposed to reinstatement.

As for the final order of discipline, the Notice of Intent to Discipline recommends that the respondent be suspended from practicing before the Board and the Immigration Courts, for a period of 30 days. The DHS asks that the Board extend that discipline to practice before it as well. Since the recommendation is appropriate in light of the respondent's suspension from the practice of law in Oregon, the Board honors that recommendation. Accordingly, the Board hereby suspends the respondent from practice before the Board, the Immigration Courts, and the DHS for a period of 30 days, effective *nunc pro tunc* to September 19, 2008, the effective date of the suspension order in Oregon.

As for the respondent's request for reinstatement, given that the respondent's request is unopposed, we find that the respondent should be and hereby is reinstated to practice before the Board, the Immigration Courts, and the DHS, as of the date of this order. Because the respondent has been reinstated, public notices regarding the respondent's suspension should be withdrawn. If the respondent wishes to represent a party before the DHS or Board, he must file a Notice of Appearance (Form G-28 or Form EOIR-27), including any case in which he was formerly counsel, prior to his suspension.

A handwritten signature in black ink, appearing to be "J. Miller", is written over a horizontal line.

FOR THE BOARD