

Falls Church, Virginia 22041

File: D2003-118

Date: SEP 25 2003

In re: JASON A. MARTINEZ, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

PETITION FOR IMMEDIATE SUSPENSION

ON BEHALF OF GENERAL COUNSEL: Jennifer J. Barnes, Esquire

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

ORDER:

PER CURIAM. The respondent on August 18, 2003, pled guilty to obtaining an employment authorization card for an individual, knowing the card was unlawfully obtained, in violation of 18 U.S.C. § 1546(a) and 18 U.S.C. § 2, in the United States District Court for the Western District of Arkansas. The crime is a "serious crime" within the meaning of 8 C.F.R. § 1003.102(h).¹

Consequently, on September 8, 2003, 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 10, 2003, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service) asked that the respondent be similarly suspended from practice before that agency.

The petition is granted, and the respondent is hereby suspended, absent a showing of good cause, from the practice of law before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. See 8 C.F.R. § 1003.103(a).

Accordingly, the respondent is directed to promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, or the DHS that the respondent has been suspended from practicing before these bodies. The respondent shall maintain records to evidence compliance with this order. Moreover, we direct that the contents of this notice be made available to the public, including at Immigration Courts and appropriate offices of the DHS.



FOR THE BOARD

¹Regulations relating to the Executive Office for Immigration Review, found in title 8 of the Code of Federal Regulations, were reorganized on February 28, 2003, due to the Homeland Security Act of 2002. See 68 FR 9824 (February 28, 2003). There was no substantive changes made to the regulations. *Id.* at 9825. Until February 28, 2003, 8 C.F.R. § 1003.102(h) was found at 8 C.F.R. § 3.102(h).