

Falls Church, Virginia 22041

File: D2003-271

Date: JAN 21 2004

In re: CATHERINE M. SHELTON, 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. On December 16, 2003, the respondent was suspended from the practice of law for 39 months, with an actual suspension of 3 months, and 36 months of probation, subject to other conditions, by the District Court, 162nd Judicial District, Dallas County, Texas. The respondent was also ordered to pay restitution of \$34,835 to 21 former clients. The Court found that the respondent had violated the Texas Rules of Disciplinary Conduct, by accepting or continuing employment beyond the lawyer's competence, failing to make reasonable efforts to ensure that conduct by a nonlawyer employed by her was compatible with lawyer's professional obligations, and making false or misleading communications about her qualifications or services.

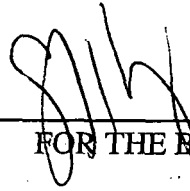
Consequently, on January 2, 2004, the Office of General Counsel for the Executive Office for Immigration Review petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. On January 8, 2004, the Department of Homeland Security (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).¹

Accordingly, the respondent is directed to promptly notify, in writing, any clients with cases currently pending before the Board, the Immigration Courts, and the DHS that the respondent has been suspended from practicing before these bodies. The respondent shall maintain records to evidence compliance with

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. § 1003.103(a) was found at 8 C.F.R. § 3.103(a).

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.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a horizontal line.

FOR THE BOARD