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NEWS RELEASE

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EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct *Two Attorneys Immediately Suspended; Three Receive Final Orders; One Attorney Reinstated*

The Executive Office for Immigration Review (EOIR) has taken disciplinary action against six attorneys after charging them with violations of the rules of professional conduct for immigration practitioners. These rules appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 3 and 292). The attorneys' violations arose out of sanctions imposed by other jurisdictions.

Disciplinary proceedings began in each case with a Petition for Immediate Suspension and Notice of Intent to Discipline filed with the Board of Immigration Appeals (BIA) by the Office of the General Counsel of either EOIR or the Department of Homeland Security (DHS). The BIA then ordered each attorney to be suspended immediately from practice before the Immigration Courts, the BIA, and the DHS (DHS joined EOIR in taking the disciplinary action). The BIA also required these attorneys to respond to the alleged violations.

Immediate Suspension

The BIA ordered the immediate suspensions of the following attorneys:

- ! **Frank Denny Winston:** He was suspended from the practice of law for 5 months by the Supreme Court of California for "intentionally, recklessly and repeatedly failing to perform legal services with competence." He was immediately suspended by the BIA on August 19, 2003, pending final disposition of his case.
- ! **Louis A. Serio:** He was disbarred from practice by the Supreme Court of Rhode Island. He was immediately suspended by the BIA on August 20, 2003, pending final disposition of his case.

Final Orders of Discipline

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

- ! **Ira Sylvester Brackens:** He was suspended from the practice of law for 18 months, placed on probation for 4 years by the Supreme Court of California, and was immediately suspended by the BIA on July 24, 2003, pending final disposition of his case. The final order of August 1, 2003, suspends him from practice before the immigration tribunals for 18 months, effective July 24, 2003.

(more)

- ! **Paul Howard Curtis:** He was suspended from the practice of law for 6 months and placed on probation for 4 years by the Supreme Court of California because he “intentionally, recklessly or repeatedly failed to perform legal services with competence.” He was immediately suspended by the BIA on July 16, 2003, pending final disposition of his case. The final order of August 1, 2003, suspends him from practice before the immigration tribunals for 6 months, effective July 16, 2003.

- ! **Ramon R. Pizzini-Arnott:** He was suspended indefinitely from the practice of law by the Supreme Court for the Commonwealth of Puerto Rico, and was immediately suspended by the BIA on July 24, 2003, pending final disposition of his case. The final order of August 14, 2003, suspends him from practice before the immigration tribunals for 6 months, effective July 24, 2003.

Reinstatement

The BIA reinstated the following attorney to practice before the immigration tribunals after he had completed his period of suspension:

- ! **David Smith Nunes** was reinstated August 1, 2003, after he was reinstated to practice law in the state of Florida.

Summary

In each of the disciplinary matters cited above, the disciplined attorney was directed to notify promptly, in writing, any clients with cases currently pending before the BIA, the Immigration Courts, or the DHS that he may no longer represent clients before these tribunals.

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 state or Federal court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction.

EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent any matter before an immigration tribunal. EOIR also posts a “List of Suspended and Expelled Practitioners” on its Web site at <http://www.usdoj.gov/eoir> (near the bottom of EOIR’s home page).

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 Web site.

EOIR is a component of the Department of Justice which, on behalf of the Attorney General, adjudicates cases involving aliens who are charged with immigration violations. EOIR has more than 220 Immigration Judges located in 52 Immigration Courts nationwide to conduct proceedings and decide cases, the BIA to hear appeals of Immigration Judge decisions, and the Office of the Chief Administrative Hearing Officer to handle employment-related immigration matters.