

Falls Church, Virginia 22041

File: D2005-298

Date: MAY 22 2006

In re: MICHAEL A. WALKER, 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

ON BEHALF OF RESPONDENT: Pro se

ORDER:

PER CURIAM. On December 27, 2005, the Supreme Court of Colorado entered an order suspending the respondent from the practice of law for 6 months, effective January 27, 2006. The Hearing Board found that, in immigration cases, the respondent, among other things, failed to pursue a legal matter, neglected his client's interests, failed to communicate with a client, and failed to diligently represent a client.

Consequently, on April 3, 2006, 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 April 27, 2006, 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 respondent argues that the Board should not issue an immediate suspension order, because he has appealed the Hearing Board's decision to the Supreme Court of Colorado, and has sought a stay of the Hearing Board's order. However, as the government argues, on April 17, 2006, the Supreme Court of Colorado denied the requested stay.¹

The petition is therefore 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).

¹We have considered the respondent's argument that the decision to suspend him was erroneous. However, our decision only goes to the fact of his ineligibility to practice before the Board, the Immigration Courts, and the DHS, based on his suspension from the practice of law, and does not constitute an affirmation of the reasons for that suspension. *See* 8 C.F.R. §§ 1003.103(a), (b) (any practitioner who has been suspended on an interim or final basis shall be suspended by the Board). The reasons for the suspension must be litigated in the Colorado courts.

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.

A handwritten signature in black ink, appearing to be 'E. R.', is written above a horizontal line.

FOR THE BOARD