

Falls Church, Virginia 22041

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File: D2008-209

Date:

OCT 9 2008

In re: FRANK X. WEINERT, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

PETITION FOR IMMEDIATE SUSPENSION

ON BEHALF OF DHS: Rachel A. McCarthy, Bar Counsel

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


ORDER:

PER CURIAM. On January 23, 2008, the Supreme Court of Illinois entered an order striking the respondent's name from the roll of attorneys licensed to practice law in the state of Illinois. This followed the respondent's request that his name be stricken, accompanied by an affidavit in which the respondent admitted that charges of professional misconduct could be proven by clear and convincing evidence.

Consequently, on September 19, 2008, the Department of Homeland Security (the "DHS"), initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. On September 24, 2008, the Office of General Counsel for the Executive Office for Immigration Review (EOIR) asked that the respondent be similarly suspended from practice before EOIR, including the Board and Immigration Courts.

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), 1292.3(c).

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.

  
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FOR THE BOARD

