

Falls Church, Virginia 22041

File: D2006-002

Date: FEB 13 2006

In re: MITCHELL L. SINGER, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

PETITION FOR IMMEDIATE SUSPENSION

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

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

ORDER:

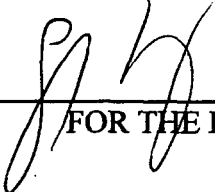
PER CURIAM. On November 26, 2002, the respondent was immediately suspended from the practice of law, by the New York Supreme Court, Appellate Division, First Judicial Department. On October 26, 2004, the same court disbarred the respondent. The respondent was subject to "automatic disbarment" based on his conviction of a felony on August 7, 2003 (grand larceny).

Moreover, the DHS alleges, the respondent violated 8 C.F.R. § 1292.3(b), as set forth in 8 C.F.R. §§ 1003.102(c) and 8 C.F.R. § 1003.102(f)(1), by making false statements about his qualifications. That is, between November 26, 2002, and the current time, the respondent filed numerous Notices of Appearance with the DHS, in which he claimed to be an attorney in good standing in New York, in order to establish his eligibility to appear before the agency.

Consequently, on January 25, 2006, the Department of Homeland Security (the "DHS," formerly the Immigration and Naturalization Service), initiated disciplinary proceedings against the respondent and petitioned for the respondent's immediate suspension from practice before the DHS. On February 2, 2006, 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.



FOR THE BOARD