

Falls Church, Virginia 22041

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File: D2008-158

Date:

AUG - 1 2008

In re: JOHN HIMMELSTEIN, 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 June 30, 2008, the Supreme Judicial Court for Suffolk County, Massachusetts, suspended the respondent from the practice of law for one year and one day, effective in thirty days.

Consequently, on July 18, 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 July 23, 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