

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

No. 11-2853  
Valle v. Attorney General

No. 11-4239  
Alvarez v. Attorney General

No. 11-4448  
Cuellar-DeMarroquin v. Attorney General

No. 12-1157  
Reyes-Tirado v. Attorney General

No. 12-1164  
Cordova v. Attorney General

No. 12-2196  
Ferreira v. Attorney General

**ORDER**

**AND**

**PUBLIC REPRIMAND**

It appearing that Arturo Suarez-Silverio, Esq. has represented litigants in thirty immigration cases before this Court since 2002; and

It further appearing that, of the thirty cases, twelve have been procedurally terminated for failure to file case opening forms, pay fees or file a brief and appendix; and

It further appearing that two additional cases were dismissed for failure to file case opening forms and failure to file a brief and appendix, and that those cases were reopened upon Counsel's compliance with the deficiencies; and

It further appearing that six additional cases are presently on the verge of procedural dismissal; and

It further appearing that, therefore, twenty of the thirty cases filed by Arturo Suarez-Silverio, Esq. have faced procedural termination due to his failure to meet filing deadlines; and

It further appearing that Arturo Suarez-Silverio, Esq. did not seek to be relieved of his representation of his clients in any of the matters that were procedurally dismissed so that the Court could require that Mr. Suarez-Silverio provide his client's address prior to withdrawal, enabling the Court to advise the client that he or she could either retain new counsel or proceed pro; and

It further appearing that Arturo Suarez-Silverio, Esq. was publically admonished on November 10, 2009 by the Disciplinary Review Board of the Supreme Court of New Jersey and the admonishment noted that eight months after being retained, Mr. Suarez-Silverio informed his client that he was not qualified to represent him in an asylum matter and reimbursed the retainer; and

It further appearing that, on May 3, 2012, Arturo Suarez-Silverio, Esq. was ORDERED TO SHOW CAUSE why his conduct should not be referred to the Court's Standing Committee on Attorney Discipline for consideration of disciplinary sanctions, including disbarment, suspension, monetary sanctions, reprimand, or any other sanction deemed appropriate; and

It further appearing that Arturo Suarez-Silverio, Esq. was also ordered to file a written response to this Order to Show Cause on or before June 11, 2012; and

It further appearing that Arturo Suarez-Silverio, Esq. was ordered to appear before Circuit Judge Thomas I. Vanaskie on June 21, 2012 at 11:00 a.m. to explain his conduct in these matters and for the Court's consideration of the possible referral of Counsel to this Court's Disciplinary Committee; and

It further appearing that Arturo Suarez-Silverio, Esq. did not file a response to the Court's May 3, 2012 Order To Show Cause until minutes before the hearing on June 21, 2012; and

It further appearing that Arturo Suarez-Silverio, Esq. appeared at the hearing to offer an explanation for his conduct in these matters. Based on Arturo Suarez-Silverio Esq.'s representations in open Court and based on his untimely response to the Order to Show Cause, it is hereby

ORDERED that Arturo Suarez-Silverio, Esq. pay a monetary sanction of \$2500.00, by close of business on Monday, June 25, 2012, for his dilatory conduct in the cases listed in the Order to Show Cause, Nos. 11-2853, 11-4239, 11-4448, 12-1157, and 12-1164. It is

FURTHER ORDERED that Arturo Suarez-Silverio, Esq. file, within 7 days of the date of this Order, a compliant motion to withdraw as counsel, certifying service on Petitioner, and providing the Court with Petitioner's address in No. 11-2853, Valle v. Attorney General. It is

FURTHER ORDERED that Arturo Suarez-Silverio, Esq. file a brief and appendix in compliance with this Court's rules on or before Monday, July 2, 2012 in No. 11-4239, Alvarez v. Attorney General. It is

FURTHER ORDERED that the motion for leave to file the brief and appendix out of time in No. 11-4448, Cuellar-DeMarroquin v. Attorney General, is hereby granted. It is

FURTHER ORDERED that Arturo Suarez-Silverio, Esq. advise the Court in writing within 7 days of the date of this order whether Petitioner in No. 12-1157, Reyes-Tirado v. Attorney General, wishes to continue with the appeal. If so, Counsel shall file a compliant motion to withdraw as counsel, certifying service on Petitioner, and providing the Court with Petitioner's address. If the appeal is not to continue, Counsel shall file a formal motion pursuant to Fed. R. App. P. 42(b) within this 7 day period. It is

FURTHER ORDERED that Arturo Suarez-Silverio, Esq. file a brief and appendix in compliance with this Court's rules on or before Monday, July 2, 2012 in No. 12-1164, Cordova v. Attorney General. It is

FURTHER ORDERED that Arturo Suarez-Silverio, Esq. file the case opening forms and pay the docketing fees on or before Monday, June 25, 2012 in No. 12-2196, Ferreira v. Attorney General. It is

FURTHER ORDERED that Arturo Suarez-Silverio, Esq. be PUBLICALLY REPRIMANDED for his dilatory conduct in these matters. Such conduct in violation of Court orders and Court rules is unacceptable and will not be tolerated. This Order and Public Reprimand will be published on this Court's website and will be filed in all pending cases. This Order and Public Reprimand will also be transmitted to the federal district courts within this Circuit, the New Jersey Office of Attorney Ethics, and to the Board of Immigration Appeals. It is

FURTHER ORDERED that the Court monitor all cases in which Arturo Suarez-Silverio, Esq. appears as counsel of record. Failure to comply fully with this Order, any

failure to meet filing deadlines in future appeals, and any violation of Court orders or rules in future appeals will result in the issuance of an Order to Show Cause and a Hearing before the Court for consideration of more serious sanctions.

The Order to Show Cause, filed May 3, 2012, will not be discharged until Arturo Suarez-Silverio, Esq. fully complies with this Order.

By the Court,

/s/ Thomas I. Vanaskie  
Circuit Judge

Dated: June 22, 2012  
PDB/AWI/DWB/cc: All Counsel of Record