UFCW

IMMIGRATION RESOURCES

PRO SE GUIDE

In Collaboration with
Novo Legal Group

RELEASE FROM DETENTION

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HOW TO USE THIS GUIDE

This guide is broken up into a “Quick Start” guide followed by chapters and an appendix. Start with the “Quick Start” to learn which chapters pertain to you, then read those chapters, and reference the appendices for examples you can use to advocate for yourself or your loved one who is in detention, in removal proceedings, or preparing for possible proceedings.

LEGAL DISCLOSURE

This guide is for general educational and informational purposes only. It is not legal advice and does not create an attorney-client relationship. Immigration detention law changes frequently, and outcomes depend on the specific facts of each case, the detention statute applied, and the federal circuit where the person is detained. Court rules and deadlines can be strict and may vary by location. Before filing motions, appeals, or federal habeas petitions, readers are strongly encouraged to consult a qualified immigration or federal court attorney or a reputable legal aid organization whenever possible.

NOVO LEGAL

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QUICK START GUIDE:

For detained people and family members helping from outside, this is a practical checklist to help you figure out your best release option and take the first steps.

Fill in these basics (keep a copy)

Detained person's name: _____

A-Number: _____

Detention facility (city/state): _____

ICE/ERO officer name (if known): _____

Emergency contact / sponsor phone: _____

DECISION TREE: WHAT'S MY RELEASE PATH?

Start here

A. Do you already have a FINAL order of removal/deportation?
If yes (or not sure), you may be in the post-order lane. Ask about Order of Supervision / post-order custody review and keep proof you are cooperating with ICE's requests.

B. Were you detained at the border/airport or placed in expedited removal / credible fear process?
If yes (or not sure), your main release request may be PAROLE from ICE (not a bond hearing with a judge).

C. Are you in immigration court removal proceedings (NTA filed / you have court dates)?
If yes (or not sure), you may be able to request a BOND hearing in immigration court.
If you're unsure, start gathering the Release Plan and documents below anyway - they help in every lane.

FIRST STEPS

A) Build your Release Plan (needed for bond and parole)

[ ] Sponsor gathers ID
[ ] Sponsor gathers proof of address (lease/bill/official mail with name and address)
[ ] Sponsor gathers proof of lawful status if available (passport/green card/naturalization)
[ ] Sponsor writes a short letter: relationship, address, that you can live there, and that they will help you attend court and check-ins
[ ] Write down sponsor's phone number and best times to reach them

Detained person writes down
[ ] Full name and A-Number
[ ] Facility name and location
[ ] Any upcoming court date info (if known)

B) Collect 'Proof' documents (ask family to send copies)

[ ] Family ties (marriage, kids' birth certificates, family letters)
[ ] Time in the U.S. and stability (leases, bills, school records)
[ ] Work history (pay stubs, employer letter)
[ ] Medical needs (records, prescriptions) if relevant
[ ] Programs/rehabilitation (certificates, letters) if relevant
[ ] Criminal court dispositions (certified outcomes if any arrests/charges)
[ ] Translations for non-English documents if possible

Tip: Organize documents in a simple packet with an index and page numbers. Make extra copies whenever possible.

BOND ONLY LANE >

Bond hearings can move fast. It is often easier to win if you bring a complete packet the **first** time. If you are denied bond the first time, you may have to show "changed circumstances" before you can ask again.

Try to have these ready before you trigger your bond hearing date:
[ ] Sponsor letter + proof of sponsor's address
[ ] Proof of your identity
[ ] A few strong tie documents (family, residence, work)
[ ] If relevant: certified criminal dispositions and rehabilitation records

REMOVAL PROCESS BASICS

Purpose of this chapter

Detained cases move fast. This chapter explains (1) who the main agencies are, (2) what the common paperwork means, and (3) how immigration court hearings work—so you can make good decisions and avoid common mistakes.

What You'll Learn

- Who does what: ICE (the detention agency) vs. the government's lawyers vs. the immigration court.
- The most common custody and court papers—and what to do when you see them.
- How Master Calendar Hearings (MCH) and Individual Hearings (ICH) work.
- How detained cases differ from non-detained cases.
- What transfers and video hearings mean for your case—and how to protect yourself.

WHO DOES WHAT?

Immigration Courts

Immigration judges are part of EOIR (Executive Office for Immigration Review), which is within the Department of Justice (DOJ). Immigration court is not criminal court. The judge decides your immigration case (and sometimes bond). Immigration judges are administrative judges who work for the Attorney General, not "judges" in the common sense of the word who work for the Judicial Branch of government.

I.C.E. / OPLA

ICE is part of the Department of Homeland Security (DHS). ICE is usually the agency that detains people.

- ICE/ERO (Enforcement and Removal Operations): runs detention, decides transfers, and supervises people after release (check-ins, ankle monitors, etc.).
- Note: Although ICE/ERO runs the detention center, many of these facilities are operated by private companies like GEO Group and CoreCivic. This means that day-to-day interactions may be more common with employees of these companies than with actual ICE officials.
- ICE/OPLA (Office of the Principal Legal Advisor): the government attorneys who appear in immigration court and argue the case against you (including arguing about detention/bond).

USCIS

USCIS is another part of DHS. USCIS may handle certain interviews and applications (for example, asylum interviews in some situations), but detained people usually experience USCIS indirectly (through paperwork and deadlines).

COMMON PAPERWORK

Paper Name	What it Means	What to Do Next
Notice to Appear (NTA)	The paper that starts removal (deportation) proceedings for many people. It lists allegations and charges.This paper lists your "A Number" which is the number that immigration uses to identify you and track your case.	Keep it safe and available. Make a copy and give it to a family member who is helping you get out of detention. Bring it to court. If anything is wrong (name, country, history), tell your lawyer or legal aid.
Custody paperwork (often says bond amount or "no bond")	ICE's first custody decision. It may list a bond amount or say ICE wants to keep you detained.	If you are bond-eligible, request a bond hearing. If it says "no bond," ask why and explore challenges.
Hearing Notice	A notice of the date/time for court. This notice will also indicate if your hearing is in-person or over video. (often video).	Never miss court. If you miss, you can get ordered removed in your absence. Keep the notice and make sure you are brought to your hearing on time.
Order / decision from the judge	A court order can set deadlines, deny/approve requests, or (in the worst case) order removal.	Ask what it means and what the deadline is. Keep a copy. If you plan to appeal, deadlines are strict.
Proof of address / sponsor documents	Documents that support release (bond/parole) by showing where you will live and who will support you.	Collect early. These are often the key to winning release. Keep copies and organize them.

Appendices A – F show examples of each of these documents!

Important: If you do not know what a form means — ask! Do not guess!

TYPES OF HEARINGS

1

Preliminary Hearing

MCH

Master Calendar Hearings

The Master Calendar Hearing is usually a short hearing where the judge checks your case and sets the schedule. Not every MCH is one-on-one with the judge; often, your very first MCH may be in a group setting. At these hearings, the judge needs to accomplish certain tasks to get your case ready for the final hearing. These preliminary tasks include:

- The judge explains your rights (including the right to hire a lawyer).
- The judge may ask if you admit or deny the government's allegations and charges from your Notice to Appear.
- The judge sets deadlines and future hearing dates.
- The judge may ask questions to determine which forms of relief from removal you may be eligible to apply for.
- You may ask for time to find a lawyer.
- In some places, you can also request a bond hearing at the MCH.

Good to Remember for MCH's

If you want time to look for a lawyer, make sure you say so clearly at your hearing. The judge will likely set a deadline for you to retain an attorney; if you cannot find an attorney, you may need to represent yourself in your final hearing.

Final Hearing

ICH

Individual Calendar Hearings

The Individual Hearing is like a trial. The ICH is where the judge hears testimony, reviews evidence, and decides whether you can stay in the U.S. This hearing is much longer than the MCH and this hearing is your final chance to provide evidence or testimony to support your case. At the final hearing, you can (and must):

- Testify and present witnesses.
- Submit evidence (documents) to support your application (asylum, cancellation of removal, etc.).
- The government lawyer will question you and argue against your case.
- The judge may issue a decision that day or later.

If the judge issues a decision to have you removed from the United States, you will only have a set period of time to file an appeal to the Board of Immigration Appeals.

An ICH is *not* the same as a bond hearing. A bond hearing is only about whether you can be released from detention. A full ICH is about whether you can remain in the United States at all.

DETAINED V. NON-DETAINED CASES: WHAT'S DIFFERENT?

Detained cases often move faster than non-detained cases. That can be good (faster decisions) but it can also be risky (less time to prepare).

Detained cases can often feel harder because there is less time to find a lawyer and gather evidence; it can be harder to have communication with family and witnesses due to your separation; you will have limited printing, copying, and you might experience mail delays; and court may be by video, which can make it harder to speak up and be heard and guarantee quality interpretation.

What helps detained clients have the best chance of success, given these circumstances and the speed that the cases move?

Start collecting documents immediately (sponsor packet, community ties, criminal dispositions). Keep a binder or folder with: A-number, court notices, custody papers, and copies of everything filed. Write down deadlines and hearing dates the same day you learn them. If you move facilities, tell your family right away and keep track of the new location.

Organization is power in detention cases!

One Practical tip:

People often lose time because documents get lost. A simple system—one folder, an index page, and copies—can make a big difference.

TRANSFERS & VIDEO HEARINGS IN REMOVAL

Transfers (ICE moves people between facilities)

ICE can transfer detained people to another facility, sometimes with little warning. Transfers can make it harder to find a lawyer, harder for family to visit, and can disrupt court preparation.

- If you have a lawyer, your lawyer should be notified of a transfer—still, families should assume notice may be delayed.
- A transfer can also change which immigration court handles the case (venue), depending on where ICE files or moves the case.
- If you are transferred, keep your A-number and court papers with you if possible.

Family tip: keep a "transfer-ready" packet
Families should keep an electronic or paper packet ready to resend: A-number, copies of the NTA, custody papers, sponsor documents, and key evidence. If the person is transferred, you can re-send quickly to the new location or new lawyer.

Video hearings (appearing by TV or video)

Many detained hearings happen by video. Video hearings are real court hearings—and missing them can have serious consequences such as an automatic removal order.

- Speak clearly and allow the interpreter to finish interpreting. If you cannot hear, say so immediately.
- If interpretation is bad or missing, tell the judge right away.
- If you need a private conversation with your lawyer, ask for time to speak confidentially.

Script: If you can't hear or the interpreter is not working, speak up

A simple sentence helps: "Your Honor, I cannot hear clearly / the interpretation is not clear. I need help to understand."

FINAL NOTES ON REMOVAL PROCEEDINGS

Scripts

You can say these in your own words. Keep them short.

- **Request time to find a lawyer:** "Your Honor, I want time to look for a lawyer. I respectfully ask for a continuance."
- **Update address plans (if released soon):** "If I am released, I will file my address update immediately with the court on the Form EOIR-33."
- **Request bond hearing (if eligible):** "Your Honor, I am requesting a bond hearing."
- **If you don't understand:** "Your Honor, I do not understand. Can you explain what you are asking me to decide today?"

Checklist

- Write down your A-number and keep it safe.
- Get copies of your NTA and custody papers (or have family request them).
- Track your next hearing date and time the moment you learn it.
- Decide: do you need time to find a lawyer? (Ask for it early.)
- Start the sponsor packet and evidence collection immediately (even before bond/parole requests).
- If there is any criminal history, request certified criminal dispositions right away—these take time.

chapter 2

IMMIGRATION BOND BASICS

Bond is a way to ask for release while your immigration case is still going.

When you pay a bond, you are promising you will show up to your future immigration court dates. If you follow the rules, the bond money can be returned later to the person who paid it.

What you will learn in this chapter:

- What an immigration bond is (and what it is not).
- Who can ask an immigration judge for a bond hearing, and who may be blocked by "mandatory detention."
- How to request a bond hearing and what happens at the hearing.
- What "danger" and "flight risk" mean, and why those words matter.
- What to do if ICE says you have "no bond."
- Why habeas (a federal court case) sometimes becomes important in long detention cases.

BOND BASICS 101

What is an immigration bond?

An immigration bond is money paid to the U.S. government to help you get out of immigration detention while your removal (deportation) case is pending. Think of it like a financial promise: you promise to attend every immigration court hearing and follow release conditions.

Bond is not the same as winning your immigration case. Bond only decides whether you can be released from government custody while you fight your case.

Who decides bond amounts?

Usually, **ICE makes the first custody decision** soon after you are detained. ICE might:

- Set a bond amount (for example, $5,000),
- Release you on your own "recognizance" (no money bond, but you still must follow rules), or
- Decide "no bond," meaning ICE wants to keep you detained or believes you are subject to mandatory detention.

If you are eligible, **an immigration judge can hold a bond hearing (also called a "custody redetermination hearing") to review ICE's decision**. At that hearing, the judge can set a bond, lower it, raise it, or deny it.

The Lowest Bond: *De Minimis* Bond

- Under the current laws of the United States, **the lowest possible amount that a bond can be set to is $1,500.**
- This means that if you have a bond of $1,500 already, there is no point in asking a judge to lower it from there – they can't!
- In theory, how high your bond is set to is supposed to depend on how much of a danger to the community ICE thinks you are and how likely you are to show up to court. In reality, it does not always work out that way, and the bond amount can feel quite made up.

BOND ELIGIBILITY: 3 GROUPS

BOND ELIGIBLE

ICE may detain you under a law that allows a judge to review custody. In these cases, you can ask the immigration court for a bond hearing.

MANDATORY DETENTION

ICE may claim you fall under "mandatory detention" (often because of certain criminal history or other categories). In many mandatory detention cases, the judge cannot set a bond unless you first win a challenge showing ICE put you in the wrong category.

DIFFERENT DETENTION TYPE

Some people are detained under laws where bond hearings work differently or do not exist. In those cases, release options may include parole or an order of supervision.

Important: ICE's label is not always correct. If ICE says "no bond" or "mandatory detention," that does not automatically mean you do not have options—but it does mean you will have to work hard to challenge ICE's decision.

The Paperwork You Need to Know Your Category

If you can, try to get copies of these documents (or have your family request them):

- The Notice of Custody Determination (often on Form I-286). This is where ICE may write a bond amount or "no bond."
- The Notice to Appear (NTA). This is the charging document that starts immigration court proceedings for many people.
- Any criminal court paperwork if you have past arrests or convictions (charging documents, plea paperwork, judgments, and disposition records).

HOW TO ASK FOR A BOND HEARING

You usually must ask for a bond hearing. The judge does not automatically schedule one in most places.

Common ways to request a bond hearing:

- **Tell the immigration judge at the beginning of a Master Calendar Hearing: "I would like a bond hearing."**
- **Send a written request (a short letter or motion) to the immigration court asking for a custody redetermination hearing. (We have a sample of this in the Appendix!)**
- **On some custody forms, there may be a box you can check to ask for immigration judge review. (Do not assume this will schedule a hearing by itself.)**

There is no filing fee for a bond request. You can request it as soon as you are in ICE custody.

THE FOCUS OF THE BOND HEARING:

In bond hearings, the judge focuses on only two main questions:

- Are you a **danger** to the community if released?
- Are you a **flight risk** (meaning, are you likely to miss court)?

Bond hearings before a judge are adversarial – meaning that the government attorney will argue against you being released from custody.

Again, they are going to focus on **danger** and **flight risk**.

Their arguments will be some variation of "we cannot release this detainee because he/she is a danger to other people or property" or "we cannot release this detainee because he/she will not appear at the following court dates." Your job is to gather evidence and prepare arguments to show why you are ***not*** a danger and not a flight risk.

Asking for bond more than once is very difficult – often, you only get one shot at this request, so you must make this first request as strong as possible. It is better to be ready than to be fast.

DANGER & FLIGHT RISK

Bond Focus #1:

DANGER

Danger to People & Property

The judge may look at your criminal history (arrests and convictions), what the allegations were, and how recent they are.

The judge may also consider positive steps you have taken, like completing programs, sobriety support, counseling, work history, or letters showing rehabilitation.

Bond Focus #2:

FLIGHT RISK

Liklihood of Appearing for Court Again

The judge is trying to decide whether you will return to court. Things that often help show you will return include:

- A stable address you can live at (a real street address, not just a P.O. box).
- A sponsor who can support you and help you get to court.
- Close family or community ties (children, spouse, parents, long-term residence).
- Work history or a job offer.
- A plan for transportation to court and check-ins.

Evidence: A sponsor letter is often a big deal.
A sponsor is the person you will live with or who will help support you after release. Sponsor letters are usually stronger when they explain: how the sponsor knows you, the sponsor's legal status, where you will live, and how the sponsor will help.

MANDATORY DETENTION & THE "JOSEPH" HEARING

If ICE says you are in "mandatory detention," the judge may say: "I do not have jurisdiction to set bond." But there may still be an important hearing you can ask for: a hearing to challenge whether ICE put you in the right detention category.

This is sometimes called a "Joseph hearing." The point is to argue that ICE is wrong and that you should be treated as bond eligible.

Mandatory detention is complicated. Get legal help if you can!
Mandatory detention often depends on how immigration law treats a particular criminal conviction or allegation. If you have any criminal history, it is smart to get your criminal court records and ask a qualified lawyer or legal aid program to review them.

TESTIMONY & QUESTIONS

COMMON QUESTIONS TO EXPECT

- Where will you live if released?
- Who will you live with?
- How will you get to court and ICE check-ins?
- Who is your sponsor and how can they be reached?
- How long have you lived in the U.S.? What ties do you have here?
- Do you have any criminal history? What happened and what was the outcome?
- Have you ever missed a court date before? (If yes, explain why and what is different now.)
- What is your plan to follow all rules and attend every hearing?

HOW TO ANSWER QUESTIONS

- Answer the question first, then add one detail (don't give long speeches).
- Use your packet: "That is shown in Exhibit __."
- If you don't know, say you don't know — don't guess.
- If you need an interpreter or cannot hear, speak up immediately.
- Stay calm and respectful even if the government lawyer argues against you.

FACING BAD FACTS WITH HONESTY

- Answer the question first, then add one detail (don't give long speeches).
- Use your packet: "That is shown in Exhibit __."
- If you don't know, say you don't know—don't guess.
- If you need an interpreter or cannot hear, speak up immediately.
- Stay calm and respectful even if the government lawyer argues against you.

A strong "bad fact" answer has four parts

1) Admit what happened (briefly). 2) Explain the outcome (the disposition). 3) Explain what you learned and what changed. 4) Show proof (rehab, counseling, letters, time passed, stable plan).

BOND 101 REVIEW

Review

If you want to request a bond, make sure you have the following:

- Write down your A-number and keep it safe.
- Ask ICE for a copy of your custody paperwork (often Form I-286) and your charging paperwork (often the NTA).
- If you are bond eligible, request a bond hearing (at Master Calendar Hearing or in writing).
- Ask your family to start gathering: proof of address, sponsor letter, sponsor's proof of status, and community support letters.
- Make a simple release plan: where you will live, how you will travel, how you will check in, how you will get to court.
- If ICE claims "no bond" because of criminal history, ask family to get certified copies of your criminal dispositions.

Warning: If you feel pressure to give up: pause and get advice if possible.
Signing papers without understanding them can create serious problems. If you do not understand a document, ask questions and try to get legal help before signing.

Terms to Know

- **Bond:** Money paid to the government to help you get released while your case continues.
- **Bond hearing / custody redetermination:** A hearing where the judge decides if you can be released and for how much.
- **A-number (A#):** Your immigration file number (example: A123-456-789).
- **NTA (Notice to Appear):** Paper that lists allegations and charges and starts immigration court proceedings for many people.
- **MCH (Master Calendar Hearing):** Short court hearing where the judge checks in on your case and sets deadlines.
- **ICE / ERO:** The part of DHS that detains people and supervises releases.
- **Immigration judge (IJ):** The judge in immigration court (part of EOIR, not a criminal court judge).
- **Mandatory detention:** A category where ICE says the judge cannot set bond (but you may be able to challenge the category).

chapter 3

BUILDING THE BOND PACKET

What you will learn in this chapter:

- The bond standard in plain language: flight risk + danger (and how evidence maps to both).
- How to build a release plan (sponsor, housing, transportation) that the judge can trust.
- Evidence buckets and the most helpful documents for each bucket.
- How to write simple declarations (your statement + sponsor statement).
- How to organize exhibits (index, tabs, translations, and making copies).
- How to prepare testimony and handle bad facts honestly and effectively.

DANGER & FLIGHT RISK EVIDENCE MAPPING

In bond hearings, the judge focuses on just two questions. Your packet should be built to answer both:

- Flight risk: Will you return to immigration court if released from custody?
- Danger: Would releasing you create a safety risk to the people or property of the community?

Strategy: The best bond packets "map" documents to those two questions.
Don't just attach documents. Label them and explain what each document proves.

Evidence type	It Helps With:	Examples
Stable address + sponsor	Flight risk	Sponsor letter, proof of address (lease/bill), plan for transportation
Family ties	Flight risk	Children's birth certificates, marriage certificate, family letters
Work and community ties	Flight risk	Pay stubs, employer letter, tax records, church/community letters
Criminal dispositions	Danger (and sometimes flight risk)	Certified disposition showing outcome; proof of completion of probation
Rehabilitation	Danger	Program certificates, counseling, sobriety support, letters from mentors
Medical needs + care plan	Flight risk (and sometimes danger)	Medical records, treatment plan, caregiver letter, appointment schedule
Compliance history	Flight risk	Proof of past court attendance, prior check-ins, prior bond compliance
Applications	Flight risk	Form I-589 or EOIR-42B/42A, evidence of pending petitions or applications with USCIS

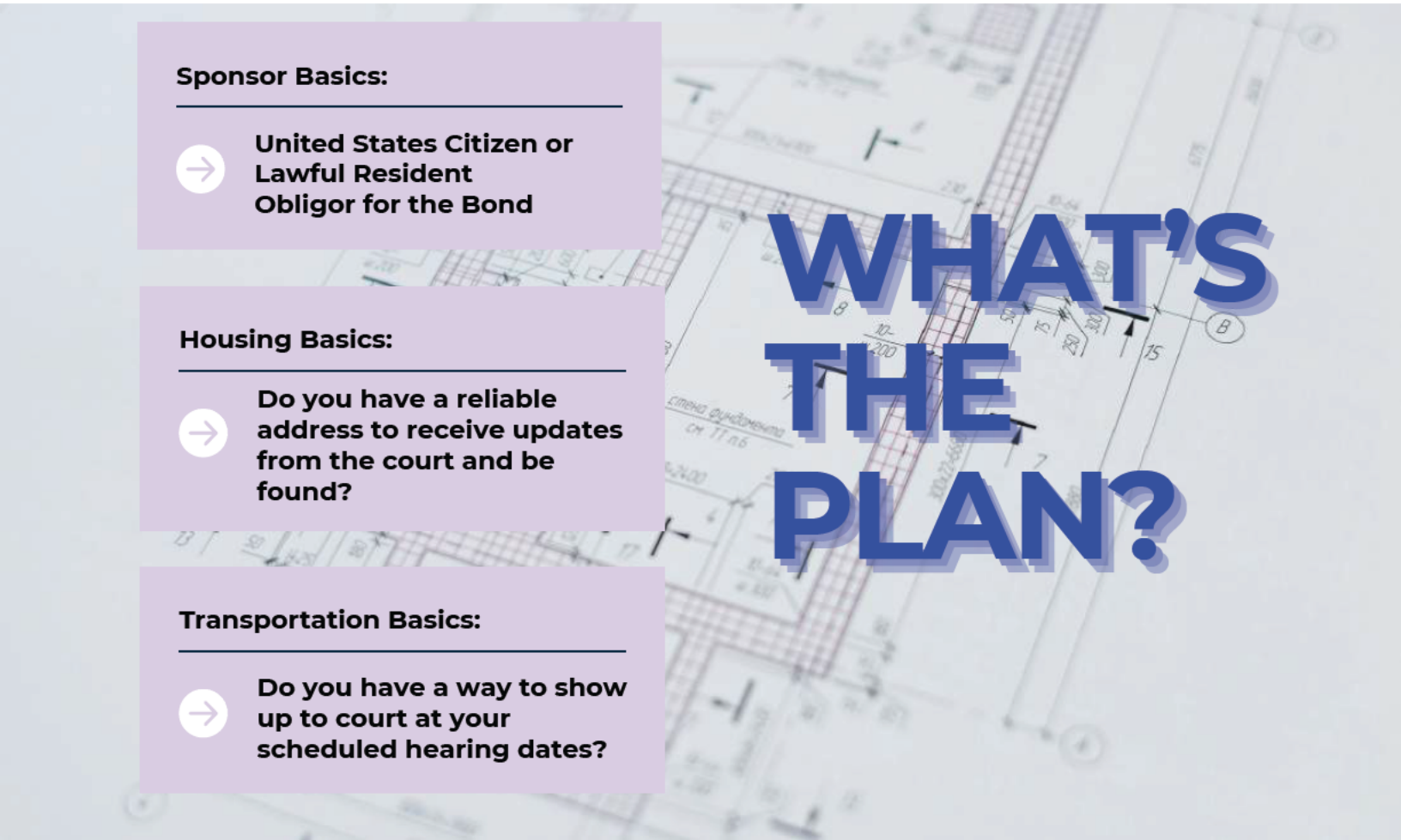
YOUR RELEASE PLAN

A release plan is not just "I have a place to go." It is a detailed, believable plan that shows you will be stable and easy to locate. The three parts of a strong release plan

1. **Sponsor**: A real person who agrees to support you, pick you up, and help you follow all rules. Your sponsor should be ready to answer phone calls. ICE or the court may call your sponsor. A sponsor who is reachable and consistent strengthens your case.
2. **Housing:** A real street address where you will live (not just "in my city").
3. **Transportation:** How you will get to court hearings, ICE check-ins, and important appointments.

Sponsor packet checklist (family members)

- Sponsor ID (driver's license or other ID).
- Proof sponsor lives at the address (lease, mortgage, utility bill, or official mail with name + address).
- Proof of lawful status if available (U.S. passport, naturalization certificate, green card).
- Sponsor declaration/letter.
- If relevant: proof sponsor can provide support (pay stubs or a short explanation of ability to help).



Sponsor Basics:

United States Citizen or Lawful Resident
Obligor for the Bond

Housing Basics:

Do you have a reliable address to receive updates from the court and be found?

Transportation Basics:

Do you have a way to show up to court at your scheduled hearing dates?

WHAT'S THE PLAN?

EVIDENCE FOR YOUR FULL PACKET

Evidence Category (Bucket)	What to Include
Your Identity and Your Basic Background	• Your Passport (copy), national ID (copy), birth certificate (copy). • Any U.S. ID you have (state ID, license) if applicable. • If you do not have ID: explain what you do have and how family can confirm identity. • ***Note: never submit a fraudulent document to the government! Submitting a fake ID or a fake social security card will make your situation worse.***
Family ties and responsibilities	• Children's birth certificates (especially if you are a parent). (copies) • Marriage certificate or proof of long-term partnership. (copies) • Letters from family explaining their relationship to you and the support they are willing to provide to you. • Proof of caregiving responsibilities (school records, medical appointments, caregiver letters).
Community ties and stability	• Proof of long-term residence (leases, bills, school records). • Community letters (church, volunteer orgs, neighborhood leaders). • School records or enrollment for you or your children.
Work and ability to support yourself	• Pay stubs, W-2s, tax records, or employer letter. • Job offer letter (if you have one). • Proof of training/certifications.

CONTINUED

Evidence Category (Bucket)	What to Include
Rehabilitation and positive steps (especially important if you have a criminal history)	• Program completion certificates (anger management, substance use, parenting, GED, job training). • Letters from counselors, mentors, or program leaders. • Proof of probation completion, compliance, or ongoing treatment.
Medical needs and humanitarian factors (if relevant)	• Medical records and prescriptions. • Doctor's letter explaining diagnosis and they care you need to remain safe and healthy. • Treatment plan after release (appointments, clinic contact info, transportation). • Letters explaining why detention makes the diagnoses or conditions you have worse or dangerous to you.
Records and dispositions (critical if ICE argues "danger")	If there is any criminal history, the most important document is often the certified disposition showing the final outcome. • Certified disposition for every case (even dismissed cases). • Judgment/sentencing order (if any). • Proof of completion of probation/parole/community service. • If an arrest did not lead to conviction: proof of dismissal or reduced charge.

Tip: Avoid surprises — don't hide bad facts.

The government usually has access to records. If there is something negative, it's better to explain it honestly and show what changed rather than simply ignore it or hope they don't see it.

DECLARATIONS

A declaration is a written statement signed by a person who has personal knowledge. Declarations help the judge understand your story quickly.

Rules for strong declarations

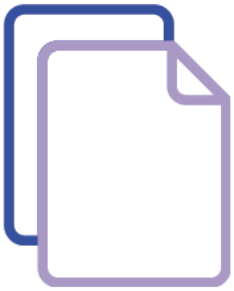
- Keep it short (usually 1–2 pages).
- Use clear headings and simple sentences.
- Stick to facts you personally know.
- If something is bad, address it directly and explain what you learned and what changed.
- Sign and date it. If possible, include a sentence that it is true and correct.
- If you submit a declaration in a language other than English, it must be accompanied by a certified translation into English!

TRANSLATIONS & COPIES

- If a document is not in English, you **must** include an English translation .
- Attach a short translator statement: who translated, what language, and that it is accurate. This is what makes a transation a **certified** translation.

Send Copies – Never Originals

Anything you send to the government may not be sent back to you, hence why sending a copy is the best route. You may need to have the original ready to be examined, but it is not to be sent to the government.



YOUR "MINIMUM VIABLE" PACKET

A "Minimum Viable" Packet

If time is short and you cannot put your best bond packet together in time, focus on the documents that usually matter most:

- Proof of your identity (passport / birth certificate / ID)
- Your declaration (1–2 pages) explaining your case, your ties to the community, your family needs, your medical needs, and your good character.
- Sponsor letter + sponsor proof of address (and status if available).
- Evidence of strong ties (family in the U.S. / residence documents showing where you live / proof that you are working or otherwise contributing).
- If any criminal history: certified dispositions + rehabilitation proof.
- Exhibit index + labeled exhibits in order.

→ IDENTITY & DECLARATION

→ SPONSOR DOCS

→ TIES TO COMMUNITY

→ DISPOSITIONS

chapter 4

AFTER THE DECISION: WHAT IF YOU WIN OR LOSE?

What you will learn in this chapter:

- What to do immediately if the judge grants bond.
- How to handle a bond amount that is too high (lowering or renewing with new evidence).
- What to do if bond is denied (renewal, changed circumstances, escalation options).
- How to stay compliant after release and avoid an in absentia removal order (missing court).

#1: IF BOND IS GRANTED
(AND YOU CAN PAY IT)

If the judge grants bond, the judge will set a dollar amount.
You are not released until the bond is actually paid and processed.

Step-by-step checklist (after a bond grant)

1. Write down the bond amount and any conditions the judge stated.
2. Ask what you need to do next to pay the bond (your family or whoever is your obligor should prepare to pay).
3. Make sure your sponsor knows the facility name and your A-number.
4. Keep calm about timing: release can take time after payment because paperwork must be processed.
5. Before you leave detention, make sure you know: your next court date (or how to check it), and any ICE reporting instructions.

Who Pays the Bond?

The person who pays the bond (sometimes called the 'obligor') is the person who will later request the refund if you win your case or the case ends. Choose this person carefully and make sure they keep the receipt and all bond paperwork.

Family Checklist

- Get the detained person's A-number and full name (exact spelling).
- Ask for the bond paperwork details (bond amount and where to pay).
- Gather a valid government ID for the person who will pay.
- Avoid scams: do not send money to individuals who claim they can "fix" release.

Practical Tip: Have a "Release Day" Plan

Have a plan for pickup, clothing, phone, and transportation. Sometimes release happens suddenly after processing—sponsors should be ready to answer calls.

DHS CAN STILL APPEAL

Just because you have been granted a bond does not mean that this is the end of the story. The DHS can appeal the bond decision issued by the immigration judge. If they do this, your bond process will be paused while the appeal process proceeds.

#2: IF THE BOND IS TOO HIGH (AND YOU CANNOT PAY IT)

Sometimes judges set bond amounts that a family cannot afford. That does not always mean the case is over. There are a few common options.

Option A: Ask for a lower bond (renewal request)
In many courts, you can ask the judge to lower bond, especially if you have new evidence or your circumstances changed. Some judges want a clear reason to revisit the amount.

- New sponsor with stronger documentation (better address proof, stronger ties).
- Updated financial hardship information (proof family cannot pay the amount).
- New evidence reducing 'danger' concerns (certified dispositions, rehabilitation records).
- Improved release plan (transportation plan, job offer, treatment plan).

The necessity for "changed circumstances"

A request is stronger if you can say: "I have new evidence / changed circumstances since the last bond hearing." Then list exactly what is new. Without changed circumstances, you may not always have an opportunity to get a new bond.

Option B: Request reconsideration quickly (if there was a clear mistake)
If the judge misunderstood a fact (for example, the outcome of a criminal case), you may be able to ask for reconsideration with the correct document. To get this reconsideration, you will have to file a "Motion to Reconsider" with the court.

Option C: Work on payment planning (if lowering is unlikely)
Families sometimes seek out public fundraising or support networks if lowering the bond with the judge is not realistic. If you do this, protect yourself from scams and keep proof of every payment.

Beware of "Bond Loan" Offices

Some companies offer bond loans or financing with high fees. Read every term carefully. Never sign papers you don't understand. The risk of using these programs is that you will end up paying A LOT more than you asked for.

#3: IF THE BOND IS DENIED

A bond denial is discouraging, but it does not always end your release options. The best next step depends on why bond was denied.

Step 1: Try to understand the reason for denial. Bond is usually denied for one of these reasons:

- The judge believes you are a danger.
- The judge believes you are a flight risk.
- The judge says they do not have authority to set bond (for example, ICE claims mandatory detention or an 'arriving' category).

Option A: Renew bond with changed circumstances
If the denial was about danger or flight risk, the most common path is to renew later with stronger evidence.

- Stronger sponsor and address proof.
- More community support letters.
- Certified dispositions showing the true outcome of criminal cases.
- Program participation in detention (classes, certificates).
- More time has passed with good behavior and stable plans.

Option B: Challenge mandatory detention category (if that is the issue)
If the judge said they cannot set bond because ICE placed you in mandatory detention, the next step may be to challenge whether ICE put you in the right category. This can depend heavily on criminal record details and legal definitions—try to get legal help if possible.

Option C: Escalation options (when detention becomes long)
If you remain detained for a long time without a meaningful chance for release, some people pursue higher-level review or federal court options. This is advanced and often needs a lawyer, but families should know it exists.

- Filing for another bond hearing with new evidence and a clearer record.
- Seeking help from legal aid programs or pro bono counsel (especially for prolonged detention).
- In some situations, filing a habeas petition in federal court challenging prolonged detention.

AFTER RELEASE: STAY ALERT!

Winning bond does not end your removal case. You still have more to do!

The most common way people get into trouble after release is missing court or violating the reporting requirements of their release from detention. Don't do this! You have to remain in compliance with the requirements imposed on you and you have to finish your removal case with the court.

Your top duties after your release on bond:

- Go to every immigration court hearing (even if you don't have a lawyer yet).
- Follow every ICE condition (check-ins, electronic monitoring, travel limits).
- Update your address with the immigration court and ICE if you move. (Do this immediately to not miss any notifications from the court!)
- Keep proof of compliance (screenshots, receipts, appointment cards, letters).

Must Do #1:

→ KEEP YOUR ADDRESS CURRENT

Must Do #2:

→ ATTEND YOUR HEARINGS

Avoid at all costs:

→ IN ABSENTIA REMOVAL

Missing a court date will result in a removal order from the judge.

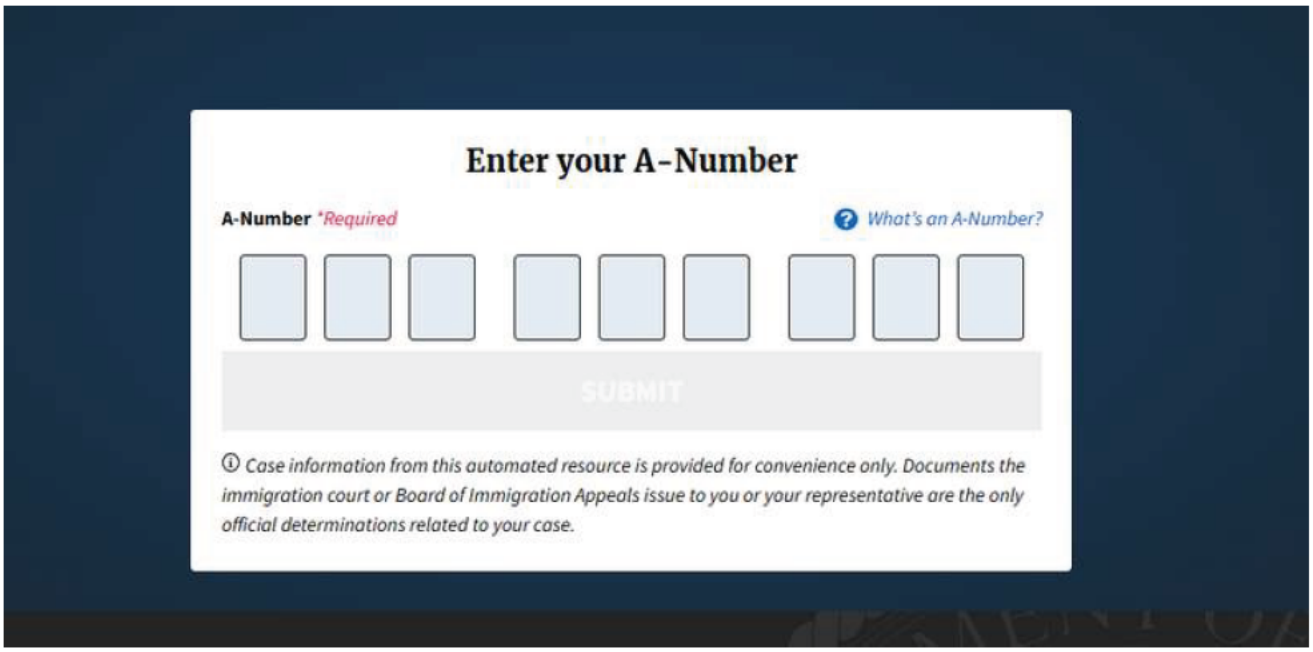
NEVER MISS A HEARING

- Write down the hearing date/time as soon as you learn it.
- Set reminders and ask your sponsor to set reminders too.
- Keep your hearing notice in a safe place and take a photo of it.
- If you move, file address updates immediately so you get notices.
- If you do not receive notices, proactively check your case status using your A-number (ask legal aid or family for help).

USE THE EOIR AUTOMATED PORTAL

The best way to see the most up-to-date information about your hearing is by using the online portal run by the immigration courts here: https://acis.eoir.justice.gov/en/

Alternatively, you can find out information by calling the courts' hotline at 1-800-898-7180.



THE PORTAL IS A GREAT TOOL!

chapter 5

PAYING THE BOND & GETTING YOUR MONEY BACK

What you will learn in this chapter:

- Who should pay bond (obligor basics).
- Where and how to pay (in-person vs. CeBONDS).
- CeBONDS payment methods and timing (FedWire vs. ACH delays).
- Anti-scam warnings (never pay through Zelle, MoneyGram, Western Union, etc.).
- What to expect after release and what documents to save.
- Refund basics and common problems.

OBLIGOR BASICS

The person who pays the immigration bond is called the "obligor." The obligor is the person whose name is tied to the bond money.

The obligor is the person who gets the refund later (if eligible).
Choose the obligor carefully. The obligor should be someone reliable who can keep documents safe and respond to government mail.

Who can be an obligor?

An obligor can be a person, a nonprofit, a law firm, or the bonded individual. If the obligor is a person — other than the person named in the bond — that person must be a United States citizen or a lawful permanent resident.

Good Rules of thumb for picking an obligor:
- Use one person (not multiple people splitting the payment).
- Pick someone with stable housing who can receive mail.
- Pick someone who can keep a folder of documents for years if needed.
- The obligor should use their real legal name exactly as on their ID.

What documents should the obligor have ready to pay the bond?
- Government-issued photo ID (the same person who pays should be the obligor).
- Correct spelling of the detained person's full name and A-number.
- The exact bond amount.
- A safe place to store receipts and bond paperwork.

Quick fill-in (for the obligor)

Obligor full legal name (as on ID): _____

Obligor address (where mail should go): _____

Obligor phone/email:
_____

Detained person name: _____

Detained person A-number: _____

Bond amount: **$**_____

HOW TO PAY THE BOND

Payment Option #1

IN PERSON

ICE/ERO Field Office

In-person payment usually means the obligor goes to a designated ICE/ERO office that accepts bond payments.

- Bring the obligor's ID.
- Bring the detained person's name and A-number.
- Bring the bond amount and confirm acceptable payment methods at that office.
- Ask for and keep every receipt and bond document.

Tip: Call ahead to confirm hours.

Payment Option #2:

CeBONDS Online

Online Payment

CeBONDS is an online system that may allow some people to pay immigration bonds electronically. If you use CeBONDS, timing depends on the payment method.

- FedWire (wire transfer): often faster, but usually requires the bank to send a wire and may have fees.
- ACH (bank transfer): often cheaper but can be slower because banks process ACH in batches.

https://cebonds.ice.gov/

Tips to Avoid Payment Issues:

- **Double-check the A-number and name spelling before paying.**
- **Use the same obligor information consistently.**
- **If the detained person is transferred, tell ICE/ERO and keep tracking the facility location.**
- **Save confirmation numbers, screenshots, and bank receipts.**

Anti-scam: Immigration bond scams are common—protect your family.

Do not pay immigration bond through Zelle, Cash App, Venmo, Apple Pay, Google Pay, PayPal, MoneyGram, Western Union, gift cards, or by sending money to a personal phone number. If someone demands payment that way, treat it as a possible scam.

RELEASE LOGISTICS

After a bond is paid and processed, ICE will release the detained person. Release timing can vary widely.

Release-day checklist (family/sponsor)

- Be ready for calls (keep phone on, answer unknown numbers if expecting release).
- Have a pickup plan (car, directions, backup driver).
- Bring basic supplies (phone charger, clothing, food/water if allowed).
- Ask the released person for all papers they receive at release and save them.

Documents to save (refund folder)

- Bond receipt and proof of payment (very important).
- Any bond paperwork with bond number or bond certificate (keep originals if possible).
- All court hearing notices and orders (to show case progress).
- ICE check-in paperwork and release conditions (to show compliance).
- Proof of address updates (copies + mailing proof) if the obligor moves.

Tip: Save documents in two places

Keep a paper folder and a digital folder (photos/scans). Email copies to yourself or a trusted person. Bond refunds can come long after the case ends, so don't rely on memory.

GETTING YOUR MONEY BACK

In many cases, bond money can be returned to the obligor after the immigration case ends—if all bond requirements were met. Refunds usually do not happen instantly. They can take time.

- Remember that the bond is a promise: the detained person will attend court and follow the conditions of their release.
- If the case ends and the government releases the bond, the obligor may receive the refund.
- Refund goes to the obligor (the person who paid), not automatically to the released person.

Avoid problems: Common refund problems (and how to prevent them)

The most common problems are: lost paperwork, the obligor moved and didn't update address, bank info changes, and confusion about who the obligor is.
Prevention: keep receipts, keep a stable mailing address, and store documents for the long term.

IF THE REFUND NEVER COMES...

If a long time passes after the case ends and there is no refund, the obligor should gather all bond documents and seek help from a legal aid organization or attorney. Having the bond paperwork and proof of payment makes it much easier to track the refund.

Refund tracking worksheet (for the obligor)

Bond amount: **$**_____

Bond number (if listed): _____

Date bond paid: _____

Method (in-person/CeBONDS): _____

Receipt / confirmation number: _____

Obligor address on file: _____

Any address changes since payment? Yes / No

If yes, dates and proof: _____

Case end date (if known): _____

How the case ended: _____

Additional Notes / contacts / calls made:

chapter 6

PAROLE

AN ALTERNATIVE TO BOND

What you will learn in this chapter:

- Bond vs. parole: what's different and who decides.
- What ICE usually wants to see: identity + not a flight risk + not a danger + a sponsor plan.
- Parole packet evidence checklist (ID, process documents, sponsor proof, humanitarian factors).
- Common conditions of release (reporting, ankle monitor, etc.) and how to document compliance.

PAROLE BASICS

Topic	Bond (judge)	Parole (ICE)
Who decides?	ICE first and then the Immigration judge (immigration court)	ICE (usually ICE/ERO custody unit, including **your individual deportation officer**)
How it works	ICE sets an initial dollar amount and a Judge can adjust that	ICE decides whether to release you and under what conditions
Money required?	Yes (the lowest possible value is $1,500 but there is no upper limit)	**No payment**, but conditions may apply (like ankle monitoring, check-ins, etc.)
Main focus	Flight risk + danger	Sponsor + Flight Risk + Danger + Humanitarian Considerations + Reasons why Detaining You is Bad for ICE
Best use	When bond hearing is available	When bond is not available, judge lacks authority, urgent humanitarian or medical need.

SOME COMMON PAROLE SCENARIOS

Parole requests are especially common in these situations:

- Certain detention categories where immigration judges may not have bond authority.
- Medical or humanitarian situations where detention is causing serious harm.
- Families with urgent caregiving needs (for example, primary caregiver of minor children).

WHAT ICE WANTS TO SEE FOR PAROLE REQUESTS:

Think of parole as a checklist. Your job is to make it easy for ICE to believe five things:

1. **Identity:** ICE knows who you are.
2. N**ot a flight risk:** you will appear for check-ins and hearings.
3. N**ot a danger:** you can be safely released.
4. S**ponsor plan:** you have a real address and support (and a plan to follow conditions).
5. There are **humanitarian or medical reasons** for why keeping you in detention is bad for ICE (from a liability perspective)

Identity & Process	• Passport or national ID (copy). • Birth certificate or other official identity record. • Notice to Appear (NTA) or hearing notice (if you have it). • Custody paperwork showing detention status (if you have it).
Flight Risk	• Stable address + sponsor letter. • Proof of family/community ties (children, spouse, long-term residence). • Work history or plan (if applicable). • A simple plan for transportation and communication (phone access).
Danger	• If no criminal history: say that clearly. • If there is criminal history: provide certified dispositions and show rehabilitation/positive change. • Letters of support and proof of programs can help. Ask members of your community to write letters on your behalf. • Medical / mental health treatment plan can help if relevant.
Sponsor Plan	• Sponsor name, relationship, phone number, and best times to reach them. Also include the sponsor's ID & proof of legal status in the U.S. • Full street address where you will live. • Transportation plan for check-ins, court, and appointments. • Any special needs plan (medical care, childcare, etc.).
Humanitarian & Medical Concerns	• Medical records documenting your current diagnoses and your treatment plan • Useful medical articles showing how a missed treatment can lead to devastating results for you • A letter from your doctor or a medical professional showing why it is important for you to not be in custody • Letters from family members whom you care for talking about why the care you provide to them is essential

See Appendix J for sample parole packet!

CONDITIONS ON RELEASE

If ICE grants parole, ICE may attach conditions. Conditions can be strict. Following them protects your freedom and protects your case.

Common conditions you might see

- Regular reporting / check-ins (in person or by phone).
- Electronic monitoring (ankle monitor) or a monitoring app.
- Travel restrictions (stay in a specific area).
- Curfew or home visits.
- Instructions to attend court or other appointments.
- Address requirements (notify ICE immediately if you move).

Document Compliance

- Create one folder for all ICE and court paperwork.
- Save every check-in receipt, appointment card, or confirmation email/text.
- Take screenshots of monitoring app confirmations (if used).
- Keep a simple log: date, time, location, who you spoke with, and what happened.
- If you mail anything, use a trackable method and keep proof of mailing.

Compliance log (copy/paste and fill in)

Date: _____ Type: (ICE check-in / court / monitoring / address update)

Location / method: _____

Person spoken to (if any): _____

What happened / instructions received: _____

Proof saved? (receipt/screenshot): _____

Warning: If you miss a check-in or have an emergency, act fast
Do not ignore it. Contact the office as soon as possible, document your attempts, and get help if you can. Early action can prevent re-detention.

Warning: If you have an appointment scheduled on a day when ICE is closed:
Take photos of you going to the office at the scheduled time and the office being closed. Note the date and time you were required to show up on your notice, and collect any evidence that you tried to comply. Try again the next business day that they are open and present your evidence.

chapter 7

ATD

ALTERNATIVES TO DETENTION & OTHER RELEASE PATHS

What you will learn in this chapter:

- Release on an Order of Supervision (post-final order) and the basics of the 90-day removal period.
- What ICE considers in post-order custody decisions (flight risk, danger, and whether removal is likely soon).
- How cooperation issues can affect post-order release decisions.
- What ATD/ISAP is and common conditions (reporting, GPS/ankle monitor, apps).
- How to ask for changes to conditions—and why short deadlines matter in some situations.

RELEASE ON ORDER OF SUPERVISION

Some people remain in ICE custody even after they get a final order of removal (a final deportation order). In that situation, release may happen through an Order of Supervision (often called "OSUP" or "order of supervision").

The 90-day removal period (basics)
After a final order, the law talks about a "removal period" when ICE tries to carry out the deportation. A common reference point is about 90 days. During this time, ICE may focus heavily on travel documents and coordination with your home country.

What an Order of Supervision usually means

- You are released from detention but still have a final order of removal.
- You must follow rules (reporting/check-ins, address requirements, sometimes electronic monitoring).
- ICE can re-detain you if you miss check-ins or violate conditions.
- You may be required to cooperate with travel-document steps (see below).

Key point: Final order does not always mean immediate deportation.

Removal can be delayed for many reasons (no travel document, your home country won't accept you back, travel logistics, medical issues, or other barriers). When removal is not happening soon, ICE sometimes releases people under supervision with conditions.

Practical tip: Ask for your conditions in writing

If you are released on supervision, keep every paper you receive and ask for written instructions. Written rules help you comply and protect you if there is confusion later.

When ICE decides whether to release someone under supervision after a final order, they often focus on a few core issues:

- **Flight risk:** Will you report as required and stay reachable?
- **Danger:** Are you safe to release?
- **Foreseeability of removal:** Is deportation likely to happen soon, or is it blocked?
  - ICE often asks: "Can we actually remove this person in the near future?" If the answer is unclear or no, release becomes more likely over time.
- **Cooperation:** Are you cooperating with travel-document and identity steps?
  - ICE may require you to cooperate with identity verification and travel-document steps. People get stuck when ICE believes someone is refusing to cooperate.
    - If you are asked to sign forms, ask what the form is and keep a copy if possible.
    - If you do not understand a document, ask for explanation and interpretation.
    - If you are cooperating, document your cooperation (dates, who you spoke with, what you provided).

ALTERNATIVES TO DETENTION

Sometimes ICE releases someone but places them into an Alternatives to Detention program (often called ATD or ISAP). This is a supervision program meant to track compliance while you are out of custody.

Common ATD/ISAP conditions

- Regular reporting (in person, on the phone, or online).
- Electronic monitoring (GPS ankle monitor or Smartphone/app monitoring).
- Home visits or curfews.
- Travel restrictions (limits on leaving a geographic area).

Conditions can change over time

Some people start with strict conditions (like GPS) and later get reduced conditions if they comply consistently. Keeping proof of compliance helps you request changes.

MODIFYING HARSH CONDITIONS

If your conditions are too harsh (for example, GPS that prevents work, or impossible reporting requirements), you can ask for changes. There are two common routes: (1) request changes directly from ICE/ERO, and (2) in some situations, request immigration judge review.

Option A: Ask ICE/ERO to Modify Your Conditions

A good request to ICE is specific and solution-focused:

- State the condition that is causing the problem (example: GPS interferes with medical devices; reporting conflicts with work).
- Explain the harm (job loss, childcare, medical risk).
- Offer a safer alternative (less frequent reporting, switch to phone/app reporting, remove GPS after a compliance period).
- Attach proof (letters from employer, doctor, school, caregiver).

Option B: Ask an Immigration Judge to Intervene

In some custody situations, there may be a short window to ask an immigration judge to review a custody decision or conditions. That window can be very short.

What evidence helps a condition-modification request

- Proof of consistent compliance (check-in receipts, screenshots, logs).
- Stable address and sponsor support.
- Work/school schedule showing why the condition is unreasonable.
- Medical or disability documentation (doctor letters).
- Any proof that the condition is causing serious hardship without improving safety.

REQUESTING MODIFICATION

Short request template — Modify conditions (to ICE)
To ICE/ERO (Request to Modify Conditions):

Name: _____ A-number: _____

Current condition(s) to modify: _____

I respectfully request modification of my supervision conditions because:
1) Problem caused by the condition: _____

2) Harm / hardship (with proof attached): _____

3) Proposed alternative condition: _____

I have complied with all requirements to date. Attached are proof of compliance and supporting documents.

Signed: _____ Date: _____ Phone: _____

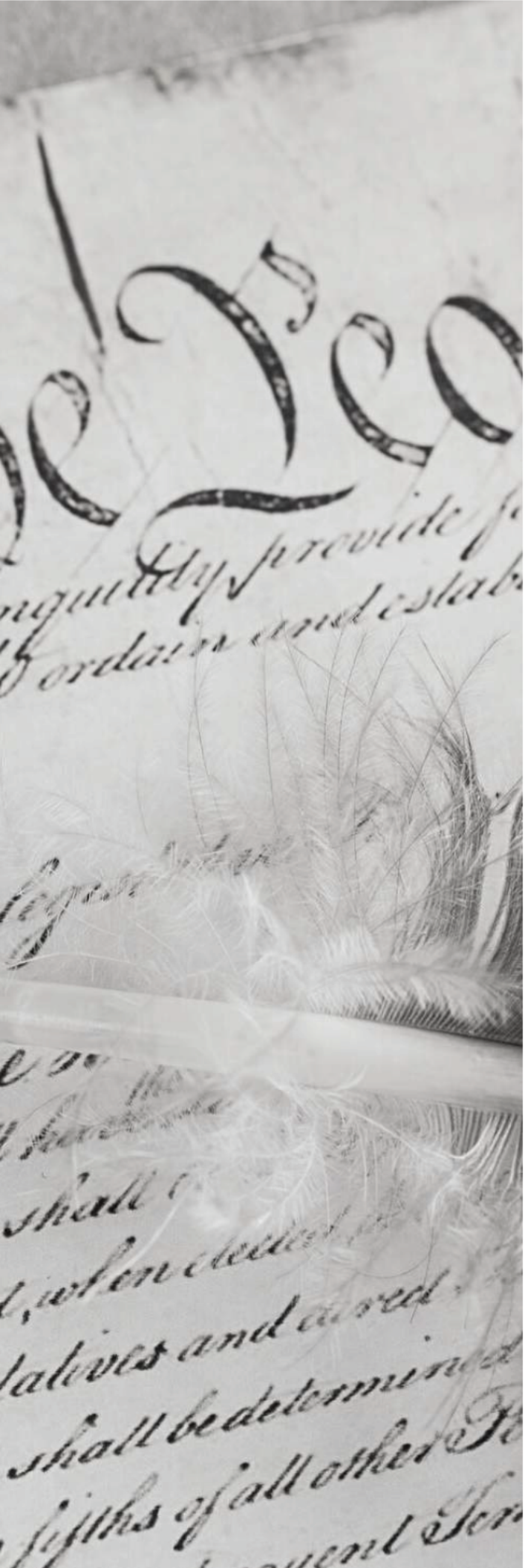
DEMONSTRATING COMPLIANCE

Whether you are on an Order of Supervision or ATD, documentation protects you. It helps show you are reliable, and it helps fix mistakes.

- Keep a single folder for: ICE paperwork, court notices, check-in receipts, and address updates.
- Use a simple log (date/time/location/what happened) for every check-in and contact.
- Save screenshots of app check-ins and location confirmations.
- If you mail anything, use tracking and keep proof of mailing.

Safety tip: If something goes wrong, act immediately

If you miss a check-in because of an emergency, do not ignore it. Contact the office quickly, document your attempts, and get help if you can.



chapter 8

HABEAS CORPUS

When the immigration court refuses to give you a bond hearing even though you are eligible for one.

WHAT IS HABEAS CORPUS?

"Habeas corpus" is a lawsuit filed in United States District Court asking a federal judge to review whether the government is lawfully detaining someone.

In immigration detention cases, habeas typically asks:

- Is the government using the correct detention statute?
- Is this person truly subject to mandatory detention?
- Does the Constitution require a bond hearing?
- Has detention become unconstitutional?
- Was re-detention unconstitutional?

Habeas does not ask the federal judge to decide asylum or cancellation of removal. It only challenges detention.

TYPES OF COURTS:

It is important to understand the limits of immigration court and to understand how other courts interact with the immigration courts. For starters, an immigration court is an "administrative court" that is part of the Department of Justice (itself part of the executive branch run by the President). A federal district court, meanwhile, is a court run by the judicial branch, like the kind of court you typically think of when you hear the word "court" or see on television.

immigration Court

ARTICLE 2

Executive Branch

Immigration Judge:

- Can hold bond hearings only if they have jurisdiction.
- Cannot override statutory mandatory detention classifications.
- Cannot declare detention unconstitutional.

Federal District Court

Article 3

Judicial Branch

Federal District Court:

- Can review whether the government is using the correct statute.
- Can review constitutional claims.
- In some cases, can order the government to provide a bond hearing or to immediately release someone

If an immigration judge says, "I do not have authority to set bond," federal court may be the only place to challenge that determination.

WHEN YOU MIGHT NEED HABEAS:

The Government Says You are Subject to Mandatory Detention	This scenario is increasingly common in 2026. In this scenario, you may be told, “there is no bond available,” or “the judge lacks jurisdiction” or “you are subject to mandatory detention.” In cases like that, a habeas petition to the federal district court would argue that your due process rights are being violated by the government when they did not offer you a bond hearing, when they detained you without warning, or when they misapplied the wrong mandatory detention statute to you.
You have been detained longer than 180 days (in total)	If you have been detained for more than 180 days in total by the government, you may have a chance to argue that the government is subjecting you to “prolonged” detention that is violating your rights. Believe it or not, immigration detention is not supposed to be a “punishment” but simply a way to guarantee that you show up for your immigration court process. By detaining you for more than 180 days, the courts have said that they start to believe something is going wrong in your case.
You were previously detained by ICE and now you are detained again – but without a hearing saying that ICE could re-detain you	If you have previously been detained by ICE or CBP and then released from their custody (either on your own “recognizance” or on parole), the government is not allowed to re-detain you unless there is another hearing — what’s known as a pre-deprivation hearing. If that second hearing never took place, a habeas can be brought on your behalf arguing that your due process rights have been violated by the government re-detaining you arbitrarily.
You have a final removal order, but the government cannot remove you	In the scenario where you already have a final order of removal but you remain detained anyway, it could be because the government is not able to effectuate your removal due to travel document issues, your home country not accepting deportations at this time, or because of some other logistical issue. If this is your situation, you may be able to ask for a habeas petition to be released from detention rather than simply be detained for an unknown duration.

Habeas is very hard. Get legal help if you can!

chapter 9

AFTER RELEASE

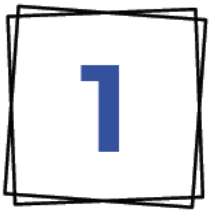
Maintaining Your Freedom whle your case Continues

What you will learn in this chapter:

- The three ongoing duties after release: court hearings, ICE conditions, and address updates.
- Change of venue basics (when and how).
- How to keep a “paper trail” that protects you and prevents re-detention.

3 ON-GOING DUTIES

After release, you have three jobs. If you do these three well, you dramatically reduce the risk of re-detention:



Never Miss a Court Date - EVER!

Before you leave detention (or as soon as possible after release), confirm your next court date and location. If you are not sure, ask for help checking your case using your A-number.

- Use the online portal or the 1-800 number to check on your court dates regularly to ensure you never miss one.
- Plan your transportation ahead fo time and always arrive early.
- If you truly cannot make it due to an emergency, act immediately. You may need to contact the court, your lawyer (if you have one), and gather proof of the emergency. Waiting can make the problem much worse.

Keep Your Address Current with the Court & ICE

Address problems cause missed notices. Missed notices cause missed hearings. Missed hearings can cause removal orders and re-detention.

- Update the court if you move
  - If you move, you generally must update your address with the immigration court promptly. Do not assume that telling ICE updates the court, and do not assume that telling the court updates ICE.
- Update ICE if you move
  - If you have ICE reporting or supervision, you also must keep ICE updated about your address. Ask your supervising office what form or method they require.

Comply with your ICE Conditions

ICE conditions can include check-ins, travel limits, monitoring apps, GPS ankle monitors, curfews, or home visits. Treat these conditions like strict rules —because violations can trigger re-detention.

A) Get the rules in writing (and keep them)

- Ask for written instructions if anything is unclear.
- Keep every paper ICE gives you (even small forms).

B) Create a simple compliance routine

- Pick one “compliance day” each week to review your calendar and upcoming duties.
- Set recurring reminders for check-ins and monitoring requirements.

C) If you are on GPS/app monitoring

- Follow device/app rules exactly (charging, wearing, location permissions).
- If the device malfunctions, report it immediately and document your report.

CHANGE OF VENUE BASICS

If you move far from the immigration court handling your case, you may want to ask the court to transfer ("change venue") to a court closer to where you live.

When a change of venue makes sense

- You were detained near one court but you now live in a different state after release.
- Traveling to the original court would be extremely hard or expensive.
- Your witnesses, evidence, and support are located where you now live.

What the court usually wants to see

- Proof of your new address (lease, utility bill, official mail).
- A clear explanation of why the new court is more appropriate.
- A plan to continue attending hearings while the request is pending.

Warning: Important: Keep attending hearings until you get a new notice.

A venue request does not automatically cancel your hearing. Until the court officially changes venue and issues new notices, you must keep attending the hearings you are scheduled for.

Venue request checklist (simple)

□ I have a stable new address (proof attached).
□ I know the court I am requesting (city/state).
□ I explained why travel to the current court is hard.
□ I stated that I will attend all hearings until venue is changed.
□ I kept copies and proof of sending/filing.

PROOF OF COMPLIANCE

Your paper trail is your protection. If ICE or the court says you missed something, your documents can prove compliance.

A) The "One Folder Rule"

Keep one folder (paper and/or digital) with these sections:

- Court: hearing notices, court orders, copies of anything you filed.
- ICE: release paperwork, conditions, check-in receipts, monitoring documents.
- Address: proof of address, copies of address updates, mailing proof/confirmation.
- Bond (if applicable): receipts, bond paperwork, obligor info (for refunds).
- Timeline: a one-page list of key dates.

B) A simple compliance log

Compliance log (copy/paste and fill in)

Date: _____ Type: (Court / ICE check-in / Monitoring / Address update)

What happened / instructions received: _____

Proof saved (receipt/screenshot/notice): _____

Next deadline/date: _____

Notes: _____

C) Store backups

- Take photos/scans of important papers the same day you get them.
- Email copies to yourself or a trusted person.
- If you change phones, move the folder to the new phone immediately.

Practical tip: If you get a scary notice, don't freeze—organize and get help.

If you receive a notice about a missed hearing, missed check-in, or a problem with your address, your paper trail helps you respond quickly. Act fast and seek legal help if you can.

APPENDICES

Examples Included for Your Reference

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Appendix	What's Included
A	• Sample Notice to Appear (NTA)
B	• Sample I-286 Custody Determination Sheet
C	• Sample Hearing Notice
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F	• Sample IJ Bond Decision
G	• Motion for Bond Hearing (Sample) [Redacted] • Motion for Bond Hearing Template
H	• Sample Bond Evidence Collection [Redacted & shortened]
I	• Motion to Change Venue Sample • Motion to Change Venue Template
J	• Parole Request Sample [Redacted]

A

Department of Homeland Security

Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act:

File No: [redacted]

In the Matter of:

Respondent: [redacted] currently residing at:

[redacted]

(Number, street, city and ZIP code) (Area code and phone number)

[ ] 1. You are an arriving alien.
[ ] 2. You are an alien present in the United States who has not been admitted or paroled.
[X] 3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of Venezuela and a citizen of Venezuela;
3. You were admitted to the United States at Orlando, FL (MCO IA) on or about [redacted] as a nonimmigrant B2 Visa with authorization to remain in the United States for a temporary period not to exceed [redacted];
4. You remained in the United States beyond October 7, 2019 without authorization from the Immigration and Naturalization Service or its successor the Department of Homeland Security.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 237(a)(1)(B) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you have remained in the United States for a time longer than permitted.

[ ] This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
[ ] Section 235(b)(1) order was vacated pursuant to: [ ] 8CFR 208.30 [ ] 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

1961 Stout Street Suite 3101 Denver, CO 80294 United States

(Complete Address of Immigration Court, including Room Number, if any)

on [redacted] at 1:00 PM to show why you should not be removed from the United States based on the

(Date) *(Time)*

charge(s) set forth above.

K. Conway, ASAO

(Signature and Title of Issuing Officer)

Date: 02/27/2026 Atlanta GA

(City and State)

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at **www.uscis.gov/i-589**. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at **http://www.ice.gov/contact/ero**, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Upon information and belief, the language that the alien understands is **SPANISH**

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office of Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before: _____

(Signature of Respondent)

_____ Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on 02/27/2026, in the following manner and in compliance with section 239(a)(1) of the Act.

[ ] In person [ ] by certified mail, returned receipt # _____ requested [✓] by regular mail

[ ] Attached is a credible fear worksheet.

[X] Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the _____ language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

_____

(Signature of Respondent if Personally Served)

_____ LAS

(Signature and Title of Officer)

Privacy Act Statement

Authority:
The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:
You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:
For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at **https://www.dhs.gov/system-records-notices-sorns**. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at **https://www.justice.gov/opcl/doj-systems-records**. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:
Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

B

DEPARTMENT OF HOMELAND SECURITY
NOTICE OF CUSTODY DETERMINATION

Alien's Name: [redacted] A-File Number: [redacted]

Date: 06/28/2019

Event ID: [redacted] Subject ID: [redacted]

Pursuant to the authority contained in section 236 of the Immigration and Nationality Act and part 236 of title 8, Code of Federal Regulations, I have determined that, pending a final administrative determination in your case, you will be:

- ☐ Detained by the Department of Homeland Security.
- ☒ Released (check all that apply):
  - ☒ Under bond in the amount of $ 3,000
  - ☐ On your own recognizance.
  - ☐ Under other conditions. [Additional document(s) will be provided.]

WESLING, D 7266
Name and Signature of Authorized Officer

06/28/2019 09:17 AM
Date and Time of Custody Determination

SDDO
Title

ICE ERO Boston Field Office 1000 District Avenue Burlington, MA US 01803
Office Location/Address

You may request a review of this custody determination by an immigration judge.

- ☒ I acknowledge receipt of this notification, and
  - ☐ I do request an immigration judge review of this custody determination.
  - ☒ I do not request an immigration judge review of this custody determination.

[redacted]
Signature of Alien

06/28/19
Date

The contents of this notice were read to AVILA-LUCAS, FLORENTIN (Name of Alien) in the _____ (Name of Language) language.

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

D.O.
Title

C

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
SEATTLE IMMIGRATION COURT

LEAD FILE: [redacted]
IN REMOVAL PROCEEDINGS
DATE: Aug 8, 2024

TO: [redacted]

RE: [redacted]

Notice of Internet-Based Hearing

Your case has been scheduled for a INDIVIDUAL hearing before the immigration court on:

Your hearing is not in person. You will access your hearing by using the web page below.
URL: HTTPS://EOIR.WEBEX.COM/MEET/IJ.REYES

Date: [redacted]
Time: 1:00 P.M. PT
Court Address: 915 2ND AVENUE, SUITE 613, SEATTLE, WA 98174

Representation: You may be represented in these proceedings, at no expense to the Government, by an attorney or other representative of your choice who is authorized and qualified to represent persons before an immigration court. If you are represented, your attorney or representative must also appear at your hearing and be ready to proceed with your case. Enclosed and online at https://www.justice.gov/eoir/list-pro-bono-legal-service-providers is a list of free legal service providers who may be able to assist you.

Failure to Appear: If you fail to appear at your hearing and the Department of Homeland Security establishes by clear, unequivocal, and convincing evidence that written notice of your hearing was provided and that you are removable, you will be ordered removed from the United States. Exceptions to these rules are only for exceptional circumstances.

Change of Address: The court will send all correspondence, including hearing notices, to you based on the most recent contact information you have provided, and your immigration proceedings can go forward in your absence if you do not appear before the court. If your contact information is missing or is incorrect on the Notice to Appear, you must provide the immigration court with your updated contact information within five days of receipt of that notice so you do not miss important information. Each time your address, telephone number, or email address changes, you must inform the immigration court within five days. To update your contact information with the immigration court, you must complete a Form EOIR-33 either online at https://respondentaccess.eoir.justice.gov/en/ or by completing the enclosed paper form and mailing it to the immigration court listed above.

Internet-Based Hearings: If you are scheduled to have an internet-based hearing, you will appear by video or telephone. If you prefer to appear in person at the immigration court named above, you must file a motion for an in-person hearing with the immigration court at least fifteen days before the hearing date provided above. Additional information about internet-based hearings for each immigration court is available on EOIR's website at https://www.justice.gov/eoir/eoir-immigration-court-listing.

In-Person Hearings: If you are scheduled to have an in-person hearing, you will appear in person at the immigration court named above. If you prefer to appear remotely, you must file a motion for an internet-based hearing with the immigration court at least fifteen days before the hearing date provided above.

For information about your case, please call **1-800-898-7180** (toll-free) or **304-625-2050.**

The Certificate of Service on this document allows the immigration court to record delivery of this notice to you and to the Department of Homeland Security.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY:MAIL[M] PERSONAL SERVICE[P] ELECTRONIC SERVICE[E]
TO: [ ] Noncitizen | [ ] Noncitizen c/o Custodial Officer |
[E] Noncitizen ATT/REP | [E] DHS
DATE: ____08/08/2024_____ BY: COURT STAFF _____AJ_____
Attachments:[ ] EOIR-33 [ ] Appeal Packet [ ] Legal Services List [ ] Other NH

Use a smartphone's camera to scan the code on this page to read the notice online.

Usa la cámara de un teléfono inteligente para escanear el código de esta página y leer el aviso en línea.

Use a câmara do smartphone para digitalizar o código nesta página e ler o manual de instruções online.

使用智能手机摄像头扫描本页面的代码，即可在线阅读该通知。

ਨੋਟਿਸ ਨੂੰ ਔਨਲਾਈਨ ਪੜ੍ਹਨ ਲਈ ਇਸ ਪੰਨੇ 'ਤੇ ਕੋਡ ਨੂੰ ਸਕੈਨ ਕਰਨ ਲਈ ਸਮਾਰਟਫੋਨ ਦੇ ਕੈਮਰੇ ਦੀ ਵਰਤੋਂ ਕਰੋ।

অনলাইনে নোটিশ পড়ার জন্য এই পেজের কোডটি স্ক্যান করতে স্মার্টফোনের ক্যামেরা ব্যবহার করুন

सूचना अनलाइनमा पढ्न यस पृष्ठमा कोड स्क्यान गर्न स्मार्टफोनको क्यामेरा प्रयोग गर्नुहोस्।

Sèvi ak kamera yon telefòn entèlijan pou eskane kòd ki nan paj sa a pou li avi a sou entènèt.

استخدم كاميرا الهاتف الذكي لمسح الرمز الموجود في هذه الصفحة لقراءة الإشعار على الإنترنت

Чтобы прочитать уведомление онлайн, отсканируйте код на этой странице с помощью камеры вашего смартфона.

Utilisez l'appareil photo d'un téléphone intelligent pour scanner le code sur cette page afin de lire l'avis en ligne.

D

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
SEATTLE IMMIGRATION COURT

Respondent Name:
[redacted]

To:
[redacted]

A-Number:
[redacted]

Riders:
In Removal Proceedings
Initiated by the Department of Homeland Security
Date:
03/11/2025

ORDER OF THE IMMIGRATION JUDGE

☐ This is a summary of the oral decision entered on . The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.

☑ Both parties waived the issuance of a formal oral decision in this proceeding.

I. Removability

The immigration court found Respondent ☑ removable ☐ inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act): 212(a)(7)(A)(i)(I)

The immigration court found Respondent ☐ not removable ☐ not inadmissible under the following Section(s) of the Act:

II. Applications for Relief

Respondent's application for:

A. Asylum/Withholding/Convention Against Torture

☑ Asylum was ☑ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

☑ Withholding of Removal under INA § 241(b)(3) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☑ withdrawn without prejudice

☑ Withholding of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☑ withdrawn without prejudice

☑ Deferral of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☑ withdrawn without prejudice

☐ Respondent knowingly filed a frivolous application for asylum after notice of the consequences. *See* INA § 208(d)(6); 8 C.F.R. §1208.20

B. Cancellation of Removal

☐ Cancellation of Removal for Lawful Permanent Residents under INA § 240A(a) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

☐ Cancellation of Removal for Nonpermanent Residents under INA § 240A(b)(1) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

☐ Special Rule Cancellation of Removal under INA § 240A(b)(2) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

C. Waiver

☐ A waiver under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

D. Adjustment of Status

☐ Adjustment of Status under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

E. Other

III. Voluntary Departure

☐ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☐ post-conclusion voluntary departure under INA § 240B(b) was ☐ denied.

☐ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☐ post-conclusion voluntary departure under INA § 240B(b) was ☐ granted, and Respondent is ordered to depart by . The respondent must post a $ bond with DHS within five business days of this order. Failure to post the bond as required or to depart by the required date will result in an alternate order of removal to taking effect immediately.

☐ The respondent is subject to the following conditions to ensure his or her timely departure from the United States:

☐ Further information regarding voluntary departure has been added to the record.

☐ Respondent was advised of the limitation on discretionary relief, the consequences for failure to depart as ordered, the bond posting requirements, and the consequences of filing a post-order motion to reopen or reconsider:

If Respondent fails to voluntarily depart within the time specified or any extensions granted by the DHS, Respondent shall be subject to a civil monetary penalty as provided by relevant statute, regulation, and policy. *See* INA § 240B(d)(1). The immigration court has set

☐ the presumptive civil monetary penalty amount of $3,000.00 USD

☐ $ USD instead of the presumptive amount.

If Respondent fails to voluntarily depart within the time specified, the alternate order of removal shall automatically take effect, and Respondent shall be ineligible, for a period of

10 years, for voluntary departure or for relief under sections 240A, 245, 248, and 249 of the Act, to include cancellation of removal, adjustment of status, registry, or change of nonimmigrant status. *Id.* If Respondent files a motion to reopen or reconsider prior to the expiration of the voluntary departure period set forth above, the grant of voluntary departure is automatically terminated; the period allowed for voluntary departure is not stayed, tolled, or extended. If the grant of voluntary departure is automatically terminated upon the filing of such a motion, the penalties for failure to depart under section 240B(d) of the Act shall not apply.

If Respondent appeals this decision, Respondent must provide to the Board of Immigration Appeals (Board), within 30 days of filing an appeal, sufficient proof of having posted the voluntary departure bond. The Board will not reinstate the voluntary departure period in its final order if Respondent does not submit timely proof to the Board that the voluntary departure bond has been posted.

In the case of conversion to a removal order where the alternate order of removal immediately takes effect, where Respondent willfully fails or refuses to depart from the United States pursuant to the order of removal, to make timely application in good faith for travel or other documents necessary to depart the United States, to present himself or herself at the time and place required for removal by the DHS, or conspires to or takes any action designed to prevent or hamper Respondent's departure pursuant to the order of removal, Respondent may be subject to a civil monetary penalty for each day Respondent is in violation. If Respondent is removable pursuant to INA § 237(a), then he or she shall be further fined or imprisoned for up to 10 years.

IV. Removal

☐ Respondent was ordered removed to

☐ In the alternative, Respondent was ordered removed to

☐ Respondent was advised of the penalties for failure to depart pursuant to the removal order:

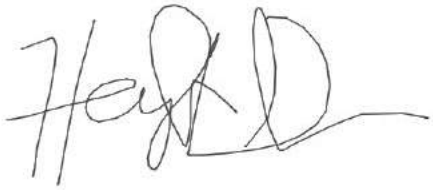
> If Respondent is subject to a final order of removal and willfully fails or refuses to depart from the United States pursuant to the order, to make timely application in good faith for travel or other documents necessary to depart the United States, to present himself or herself at the time and place required for removal by the DHS, or conspires to or takes any action designed to prevent or hamper Respondent's departure pursuant to the order of removal, Respondent may be subject to a civil monetary penalty for each day Respondent is in violation. If Respondent is removable pursuant to INA § 237(a), then he or she shall be further fined or imprisoned for up to 10 years.

V. Other

☐ Proceedings were ☐ dismissed ☐ terminated with prejudice
☐ terminated without prejudice ☐ administratively closed.

☐ Respondent's status was rescinded under INA § 246.

☐ Other:



Immigration Judge: WINDROW, HAYDEN 03/11/2025

Appeal: Department of Homeland Security: ☑ waived ☐ reserved
Respondent: ☑ waived ☐ reserved

Appeal Due:

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [ ] Noncitizen | [ ] Noncitizen c/o custodial officer | [E] Noncitizen's atty/rep. | [E] DHS

Respondent Name : [redacted]

Riders:

Date: 03/11/2025 By: WINDROW, HAYDEN, Immigration Judge

E

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
DENVER IMMIGRATION COURT

Respondent Name:
[redacted]

To:
[redacted]

A-Number:
[redacted]

Riders:
In Removal Proceedings
Initiated by the Department of Homeland Security
Date:
03/09/2026

ORDER OF THE IMMIGRATION JUDGE

Public Law 119-21, 139 Stat. 72 requires all aliens with an asylum application pending for 365 days or more to pay an annual fee (AAF) of $102, in addition to any other fee. Public Law 119-21, 139 Stat. 72 also authorizes annual increases of the AAF for inflation, in addition to any other fee increases. Any alien who has an asylum application pending for one year or more must pay the AAF and for each year thereafter for which the application remains pending. Only one fee per 365-day period is required.

☑ Your Form I-589, Application for Asylum and for Withholding of Removal, has been pending for 365 days or more since October 1, 2024, and you have not previously been ordered to pay the AAF.

☐ Your Form I-589, Application for Asylum and for Withholding of Removal, has been pending for 365 days or more since you were last ordered to pay the AAF.

Therefore, you are hereby ordered to pay **$102** to the Executive Office for Immigration Review (EOIR). Your payment must be made through EOIR's Payment Portal located online at:

https://epay.eoir.justice.gov/index

Please complete the required fields on the EOIR Payment Portal by entering your Alien Registration number (A-number), select the drop down titled Annual Asylum Fee (AAF) -Pending Application for Asylum and click the "Pay Now" button. Once paid, you will receive a digital receipt that includes a Tracking ID. Please save or print that receipt immediately. You will not receive a copy of that receipt via email. The Tracking ID will be required if you ever need to retrieve a copy of the receipt.

Your payment of **$102** is due on 04/24/2026. Failure to timely pay the fee may result in a finding that you have abandoned or withdrawn your application and may result in its denial or dismissal.

So ordered.

Immigration Judge: Corrin, Melanie 03/09/2026

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [ ] Alien | [ ] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : [redacted]

Riders:

Date: 03/09/2026 By: CAITLYN PATE, Court Staff

F

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
AURORA IMMIGRATION COURT

Respondent Name:
[redacted]

Alien Registration Number:
[redacted]

To:
[redacted]

Riders:

In Custody Redetermination Proceedings

Date:
[redacted]

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

☐ Denied, because

☒ Granted. It is ordered that Respondent be:

☐ released from custody on his own recognizance.

☒ released from custody under bond of $ 4,000.00.

☐ other:

☐ Other:

Immigration Judge: McGrail, Elizabeth 03/12/2020

Appeal: Department of Homeland Security: ☐ waived ☒ reserved
Respondent: ☒ waived ☐ reserved

Appeal Due: 03/13/2020

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service

To: [ ] Alien | [ ] Alien c/o custodial officer | [E] Alien's atty/rep. | [E] DHS

By: Cruz, Winrich , Court Staff

Date: 03/12/2020

[redacted]

U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
1623 EAST J STREET SUITE 3
TACOMA, WA 98421

IN THE MATTER OF: FILE: [redacted]

[redacted]

Docket: **TACOMA, WA**

RESPONDENT IN REMOVAL PROCEEDINGS

CUSTODY ORDER OF THE IMMIGRATION JUDGE

Request having been made for a change in the custody status of the respondent pursuant to 8 C.F.R. Part 236 and having considered the representations of the Immigration and Customs Enforcement and the respondent, it is HEREBY ORDERED that:

_____ No Action _____

_____ ORDERED No Jurisdiction:

_____ Arriving Alien.
_____ Mandatory Detention under 236(c).
_____ Reinstated Order of Removal / Final Order of Removal
_____ Withholding Only Proceedings
_____ Does not meet the 180 day requirement.

__X__ ORDERED that the request for a change in custody status be denied.
Bond to remain at $ No Bond or REMAINS AT NO BOND.

_____ ORDERED that the request be granted and that respondent be released from custody under bond of $_____

__X__ Danger to Community / Flight Risk.

__X__ OTHER Conditional release is: granted / denied / was not requested.

_____
Tammy L. Fitting
Immigration Judge
Date: [redacted]

Appeal: WAIVED / RESERVED (A / I / B)
IF RESERVED – APPEAL IS DUE BY: [redacted] **MARTINEZ-BANOS BOND**

CERTIFICATE OF SERVICE
THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P) FAX (F)
TO: [ ] ALIEN [ ] ALIEN c/o Custodial Officer [ ] Alien's ATT/REP [**P**] ICE
DATE: 05/07/18 BY: COURT STAFF ndlt
Attachments: [ ] EOIR-33 [ ] EOIR-28 [ ] Legal Services List [ ] Other 1T

G

[redacted]

DETAINED

Novo Legal Group LLC
4280 Morrison Road
Denver CO 80219
Phone: 303.335.0250

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
AURORA, COLORADO

In the Matter of: [redacted]	A# [redacted]
Respondent.	IN REMOVAL PROCEEDINGS

Immigration Judge: McGrail

Next Hearing: [redacted]
Hearing Type: Bond

MOTION FOR BOND

DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
AURORA, COLORADO

In the Matter of: [redacted]	A# [redacted]
Respondent.	IN REMOVAL PROCEEDINGS

MOTION FOR BOND

Respondent, [redacted], requests a low bond in immigration proceedings. He is a man who has no pattern of unsafe behavior. Mr. [redacted] has been romantically involved with his United States Citizen partner, [redacted], since 2015 and they intend to marry. Mr. [redacted] has fulfilled the role as father to his partner's U. S Citizen daughter, [redacted], and has been working diligently, up until the point of detention, to support his family. The detention of Mr. [redacted] has affected his family deeply. Furthermore, Mr. [redacted] is eligible for 42B, Cancellation of Removal for Certain Non-Permanent Residents.

Mr. [redacted] contends that he is eligible for bond and not subject to mandatory detention under INA § 236(c). For Mr. [redacted] to be subject to mandatory detention, the department of homeland security must show that he is inadmissible by reason of having committed any offense covered in section 212(a)(2) or deportable by reason of having committed any offense covered in section 237(a)(2). INA § 236(c)(1)(A).

A) The Department of Homeland Security bears the burden of showing Mr. [redacted] is subject to mandatory detention under INA § 236(c)(1)(A). They must establish by clear and convincing evidence that Mr. [redacted] has committed an offense covered in sections 212(a)(2) or 237(a)(2). Mr. [redacted]'s single conviction of C.R.S. § [redacted] is, in accordance with Colorado law, categorically not a controlled substance. This is further explained in Mr. [redacted] attached brief.

Further, bond should be granted upon a showing that Mr. [redacted] would not pose a danger to other persons or to property if released, and that he would likely attend his continued removal proceedings hearings. 8 CFR 1003.19(h)(3).

A) Danger to Persons or Property – Respondent does not have any history of violence towards others or property. Mr. [redacted] criminal history consists of a single conviction which occurred nearly 10 years ago and has since learned from his mistake. As such, he does not pose a danger to persons or property. Mr. [redacted] is not a recidivist. The arrest for [redacted] is not an inherently violent or dangerous offense to either person or property. Further, it is an offense Mr. [redacted] regrets and is committed to never repeating. As an isolated, single incident, any inference of a pattern of behavior or continued disregard for the safety of others is unfounded by his lack of criminal history and encounters with law enforcement.

B) Flight Risk – Mr. [redacted] entered the United States in 2003 as a child and with the American Dream in mind. Prior to his detention he was a dedicated partner and employee. His only motive in life has always been to be a hard worker to provide for his partner and family. He has been working diligently in construction. Due to his dedication, his position will continue to be available to him once he is released. As he has strong family support and ties to the United States he is very likely to attend all of his future hearings and maintain counsel to pursue his removal defense case.

Respondent asks the Court to consider all his equities in using its discretion to grant his bond.

Respectfully Submitted,

[redacted], Esq. _____ Date

DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW
IMMIGRATION COURT
LOCATION OF COURT

In the Matter Of:

LAST NAME, First Name & Middle Name

Respondent(s)

A Number

Immigration Judge: [Judge Last Name]

Next Hearing: [Hearing date and time]

RESPONDENT'S MOTION FOR BOND HEARING

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW
IMMIGRATION COURT
LOCATION OF COURT

In the Matter Of: **LAST NAME, First Name & Middle Name** *Respondent(s)*	**A Number**

RESPONDENT'S MOTION FOR BOND REDETERMINATION HEARING

Respondent respectfully moves that this court set a bond redetermination hearing in this matter as promptly as possible. In support of this request, Respondent states the following:

1. Respondent's full name is [FULL NAME]. Respondent is a citizen and native of [COUNTRY].
2. Respondent has been detained in [LOCATION OF DETENTION] since [DATE OF DETENTION].
3. Respondent has significant community support in the area. …. *See* Tabs….
4. Respondent is not a danger to the community…*See* Tabs… [INSERT SUMMARY ARGUMENT ABOUT WHY RESPONDENT IS NOT A DANGER]
5. Respondrnt is not a flight risk and will attend all future hearings and comply with the court's requirements. *See* Tabs… [INSERT SUMMARY ARGUMENT ABOUT WHY RESPONDENT IS NOT A FLIGHT RISK]
6. Respondent will be able to pay bond and secure housing through … *See* Tabs…

WHEREFORE, Respondent respectfully requests that the Court grant [HIM/HER] a bond redetermination hearing or, in the alternative, set a de minimis bond of $1,500 so that [HE/SHE] may … and pursue immigration remedies that may be available to [HIM/HER].

[If you do not have all evidence available at this time, inform the court that you will submit additional evidence once the hearing is set]

Respectfully Submitted,

[RESPONDENT'S NAME]_____

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW
IMMIGRATION COURT
LOCATION OF COURT

In the Matter Of:

LAST NAME, First Name & Middle Name **A Number**

Respondent(s)

EXHIBIT LIST

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UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW
IMMIGRATION COURT
LOCATION OF COURT

In the Matter Of:

LAST NAME, First Name & Middle Name **A Number**

Respondent(s)

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Respondent's Motion for Bond Redetermination Hearing, it is HEREBY ORDERED that the motion be ☐ **GRANTED** ☐ **DENIED** because:

- ☐ DHS does not oppose the motion.
- ☐ The Respondent does not oppose the motion.
- ☐ Good cause has been established for the motion.
- ☐ The court agrees with the reasons stated in the opposition to the motion.
- ☐ The motion is untimely per _____.
- ☐ Other:

Deadlines:

The application(s) for relief must be filed by: _____
The Respondent must comply with DHS biometrics instructions by: _____

_____ _____
Date Immigration Judge

Certificate of Service

This document was served by: [ ] Mail [ ] Personal Service
To: [ ] Alien [ ] Alien c/o Custodial Officer [ ] Alien's Atty/Rep [ ] DHS

Date:_____ By: Court Staff_____

PROOF OF SERVICE

On _____, I, _____, delivered a copy of Respondent's Motion for Bond Redetermination Hearing to The Office of Chief Counsel at the following address via [hand delivery/certified mail]

[ICE OPLA ADDRESS FOR YOUR IMMIGRATION COURT]

_____ _____

Signed Date

H

[redacted]

DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
TACOMA, WASHINGTON

In the Matter of: [redacted] In bond proceedings	**File No.: A#** [redacted]

Immigration Judge: Judge Odell

Bond Hearing: [redacted]

RESPONDENT'S BOND SUBMISSION

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Respectfully submitted this [redacted]

_____

[redacted]
Attorney for Respondent

I

[redacted]

NON-DETAINED

Novo Legal Group, PLLC
4280 Morrison Rd
Denver, CO 80219
Phone: (303) 335-0250

Attorney for Respondent

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
NEW ORLEANS, LOUISIANNA

In the Matter of:

[redacted]
Lead Respondent

[redacted]
Rider Respondents

In Removal Proceedings.

File No.: A [redacted]

A [redacted]
A
A

Immigration Judge: Hon. Jason Jones

Next Hearing [redacted] am
Hearing Type: Master Hearing

RESPONDENT'S MOTION TO CHANGE VENUE

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
NEW ORLEANS, LOUISIANNA

In the Matter of:	
[redacted] *Lead Respondent*	**File No.: A** [redacted]
[redacted] *Rider Respondents*	**A** [redacted] **A** **A**
In Removal Proceedings.	

INTRODUCTION AND RELIEF REQUESTED

Respondents – [redacted] – respectfully move this Honorable Court to change the venue of their removal proceedings from the New Orleans, Louisiana Immigration Court to the Denver, Colorado Immigration Court.

Respondents have a Master Calendar Hearing scheduled for [redacted], at the New Orleans Immigration Court. Respondents currently live in Colorado and proper jurisdiction for this case based on their zip code is Denver, Colorado. Further, as Respondents are living in Colorado, they would be better positioned to attend all forthcoming hearings in person if the hearings can be moved to another jurisdiction closer to their residence. A form EOIR-33 has been filed with the Court.

ARGUMENT

Under 8 C.F.R. § 1003.20, this Honorable Court may order a change of venue for good cause shown. The good cause is demonstrated as follows:

1. Respondents have a Master Calendar Hearing scheduled for [redacted], at 8:30am.
2. In between the time when this Master Calendar Hearing was scheduled and now, Respondents have moved to Colorado. Upon moving, they have since filed Form EOIR-33 with the Court, to keep the Court informed of their whereabouts to continue receiving written notice of their forthcoming hearings.
3. Respondents have retained counsel in the state of Colorado.
4. Requiring Respondents to travel between [redacted], Colorado and New Orleans, Louisiana as compared to [redacted], Colorado and Denver, Colorado for each of their successive hearings would create an incredible financial burden upon them.
5. Respondents are not seeking to delay, impede, or otherwise prejudice the Government in seeking such a change of venue, and they are resolved to remain in full compliance with their obligations in Denver as they were in New Orleans.
6. As required by 8 C.F.R. § 1003.20(c), Respondents confirm that their fixed mailing address, where they may be reached for further hearing notification, is:

   [redacted]

   Respondents anticipate staying in the State of Colorado for the foreseeable future.

CONCLUSION

Therefore, good cause appearing and no prejudice resulting to the Government, Respondents respectfully requests this Motion to Change Venue from the New Orleans Immigration Court to the Denver Immigration Court be granted.

Respectfully submitted this 26th day of August 2024,

[redacted]
Attorney for Respondent

Lead Respondent: [redacted]
Rider Respondent: [redacted]
Rider Respondent: [redacted]
Rider Respondent: [redacted]

CERTIFICATE OF SERVICE

I, [redacted] hereby certify that on this [redacted]th day of August 2024, the foregoing **Motion to Change Venue** was submitted to the following via ECAS:

Executive Office of Immigration Review
New Orleans Immigration Court
365 Canal Street Suite 500
New Orleans, LA 70130

Department of Homeland Security
Office of the Principal Legal Advisor
1250 Poydras Street Suite 2100
New Orleans, LA 70113

_____
[redacted]
Attorney for Respondent

Sample Cover Sheet

Your Name:_____

Your Address: _____

_____

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT

City and State: _____

In the Matters of:	)	
_____	)	**File No.: A**_____
(your name)	)	(your alien registration number)

Immigration Judge:_____ **Next Hearing Date:**_____

RESPONDENT'S MOTION TO CHANGE VENUE

Sample Motion to Change Venue

RESPONDENT'S MOTION TO CHANGE VENUE

Respondent, _____ (Name), moves this Honorable Court to change the venue of her removal proceedings from _____ (city and state of the current immigration court) to the immigration court in _____ (city and state where you want your case moved). I seek this change of venue pursuant to 8 CFR § 1003.20.

In support of this motion, I state as follows:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Respectfully submitted,

_____ Dated: _____

Name

Sample Order

United States Department of Justice
Executive Office for Immigration
Review Immigration Court

_____
[*the court's location (city and state)*]

In the Matter of: _____ A Number: _____
[your name] [your alien registration number]

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the respondent's Motion to Change Venue, it is HEREBY ORDERED that the motion be □ **GRANTED** □ **DENIED** because:

□ DHS does not oppose the motion.
□ The respondent does not oppose the motion.
□ A response to the motion has not been filed with the court.
□ Good cause has been established for the motion.
□ The court agrees with the reasons stated in the opposition to the motion.
□ The motion is untimely per_____.
□ Other:

Deadlines:
□ The application(s) for relief must be filed by_____.
□ The respondent must comply with DHS biometrics instructions by_____.

_____ _____
Date Immigration Judge

CERTIFICATE OF SERVICE
THIS DOCUMENT WAS SERVED VIA:
MAIL ( ) PERSONAL SERVICE ( ) ELECTRONIC SERVICE ( )
TO: RESPONDENT ( ) RESPONDENT'S C/O CUSTODIAL OFFICER ( )
RESPONDENT'S ATTY/REP ( ) DHS ( )
DATE:_____ BY: COURT STAFF_____
ATTACHMENTS: EOIR-33 ( ) EOIR-28 ( ) LEGAL SERVICES LIST ( ) OTHER

_____
(Respondent's Name)

_____
(Respondent's Alien Number)

CERTIFICATE OF SERVICE

On_____, I, _____,
(date) (printed name of person signing below)

served a copy of this Motion to Change Venue

and any attached pages to _____
(name of party served)

at the following address: _____
(address of party served)

by _____.
(method of service, for example overnight courier, hand-delivery, first class mail)

_____ _____
(signature) (date)

J

NOVO LEGAL

U S Department of Homeland Security
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Northwest Detention Center
1623 East J Street, Suite 2
Tacoma, WA 98421

[redacted]

Re: Request for Release on Parole under INA 236(a)
Respondent: [redacted] (A[redacted])
Sponsor: [redacted], USC Daughter of Respondent

To Whom it May Concern:

Ms. [redacted] (hereinafter "[redacted]") is represented by Luis Cortes Romero of Novo Legal Group in her proceedings. She is currently detained at the Northwest ICE Processing Center in Tacoma, Washington, where she has remained for over **one hundred days**. By and through her undersigned counsel, Ms. [redacted] respectfully requests that she be released from detention on parole pursuant to the authority granted Immigration and Customs Enforcement under INA § 236(a).

Ms. [redacted] is not subject to mandatory detention. For Ms. [redacted] to be subject to mandatory detention, the Department of Homeland Security must show that she is inadmissible by reason of having committed any offense covered in section 212(a)(2) or deportable by reason of having committed any offense covered in section 237(a)(2). Because she is not subject to mandatory detention, INA § 236(a) authorizes the Attorney General to release a detained person on bond pending a decision on whether a noncitizen is to be removed from the United States. The Board of Immigration Appeals ("BIA") has clarified that release is generally preferred to detention pending removal proceedings and that a person "should not be detained" absent a finding that the person is "a threat to the national security, or … a poor bail risk." *Matter of Patel*, 15 I&N Dec. 666, 666 (BIA 1976).

Ms. [redacted] poses no danger to persons or property, and she is not a flight risk. Further, Ms. [redacted] United States citizen children are prepared to take full sponsorship responsibility for their mother upon her release, and they, and her counsel, will ensure that she attends her future hearings before the immigration court. What follows below is a brief statement of facts about this case, as well as arguments in support of Ms. [redacted] release from detention.

Statement of Facts

Ms. [redacted] is a fifty-year-old citizen of [redacted] who attempted to enter the United States at the Pacific Highway port of entry on October 20, 2023. *See* Notice to Appear, dated January 12, 2024. This visit to the United States was a routine visit for Ms. [redacted], as she had attempted to enter, as she always had before, to visit her United States children who live in San Francisco, California. *See* I-867. When she arrived at the border, she was carrying her passport,

but she was also in possession of her [redacted] adoption records, her [redacted] passport,[1] bills from her house, bank statements, the lease for her apartment in [redacted], and more. When asked by Customs and Border Protection why she was carrying all these documents for a routine visit to the United States, Ms. [redacted] explained that she keeps all her documents on her person ever since two brutal robberies occurred two years prior in [redacted]. Ms. [redacted] also stated that she would be housesitting for her daughter in California.

Partly because Ms. [redacted] expressed fear elating to these Canadian robberies, the officer wrote on her Form I-860 Notice and Order of Expedited Removal, Determination of Inadmissibility, that she does not qualify as a visitor for pleasure and has claimed political asylum in the United States. *See* I-860. Ms. [redacted] was, categorically, ***not*** trying to claim political asylum in the United States. Nonetheless, ever since this misunderstanding, Ms. [redacted] has remained detained in the United States for over one hundred days, missing out on the holidays she came to the United States to celebrate with her family. Prior attempts to have her asylum claim withdrawn have, so far, proven unsuccessful, and Ms. [redacted] has since been given a Notice to Appear. As of today. no date has been calendared with the immigration court to discuss her case.

These cascading errors need to be resolved at once, and this parole request seeks to provide Ms. [redacted] the opportunity to cure the misunderstandings and otherwise attend her proceedings while outside of detention.

Argument

I. Ms. [redacted] does not pose a danger to persons or property.

Although written in the context of bond proceedings, the Board has determined that "an assessment of [a noncitizen's] danger to property or persons is a relevant consideration" in determining whether to release someone from detention. *Matter of Adeniji*, 22 I&N Dec. 1102, 1103 (BIA 1999) (citing 8 C.F.R. § 236.1(c)(8)). To assess someone's dangerousness, the Board has enumerated certain factors to be considered including: the [non-citizen]'s criminal record, including the extensiveness of criminal activity, the recency of such activity, and the seriousness of the offenses; the [non-citizen]'s history of immigration violations; any attempts by the [non-citizen] to flee prosecution or otherwise escape from authorities; and the [non-citizen]'s manner of entry to the United States. *See Matter of Guerra*, 24 I&N Dec. 37, 40 (BIA 2006).

Here, none of the enumerated factors weigh against Ms. [redacted]. First, Ms. [redacted] has no criminal record, either in the United States or elsewhere. Second, the only history of an immigration violation present in Ms. [redacted] record is the current allegation that she is an arriving alien in the United States in violation of INA 212(a)(7)(A)(i)(I). *See* Notice to Appear. This allegation, however, is the result of a misunderstanding which Ms. [redacted] is trying to resolve through counsel. Further, Ms. [redacted] has never attempted to evade authorities or attempted to cross the United States border irregularly: her issues arose from her sharing information at the port of entry that was misunderstood by the attending officer.

[1] Ms. [redacted] was originally born in [redacted] and lived there until the age of five, when she was adopted by [redacted] parents.

Given that Ms. [redacted] does not have a criminal record, dangerousness should not be presumed in her case. Because she is not a danger to others, she should be released from detention on parole and be allowed to remain with her family while this issue plays out at the immigration court, such that the government can save scarce resources for higher-priority cases.

II. Ms. [redacted] is not a flight risk.

In *Matter of Urena*, the Board wrote, "only if a [noncitizen] demonstrates that he does not pose a danger to the community should an Immigration Judge continue to a determination regarding the extent of flight risk." 25 I&N Dec. 140, 141 (BIA 2009). In analyzing flight risk, some relevant factors worth considering include: (1) whether the detained person desires to see her issue fully resolved before the Court, (2) whether the detained person has a means of keeping informed of future updates about her case, (3) whether the detained person has somewhere to stay in the United States outside of detention, and (4) whether the detained person can support herself outside of detention.

On all these points, Ms. [redacted], again, warrants a favorable exercise of discretion to be released on parole. First, Ms. [redacted] recognizes that resolving her case through the immigration court is the only means of securing her future ability to enter the United States to see her children and grandchildren. If Ms. [redacted] was to abscond and be issued a removal order, she recognizes that she would be barred from re-entering the United States for a period of five years pursuant to INA 212(a)(9)(A). Missing out on time with her children and grandchildren is a penalty too severe for Ms. [redacted] to handle, thereby incentivizing her to attend her future court hearings and complying with ICE release requirements.

Even further, upon her release from detention on parole, Ms. [redacted] has family in the United States to receive her, provide for her, and help her attend future court hearings and check ins. Ms. [redacted]' daughter, [redacted], is eagerly awaiting her mother's release from detention, and she is prepared to support her mother by whatever means necessary.

Conclusion

Considering the above arguments, and pursuant to INA § 236(a), Ms. [redacted] respectfully requests that Immigration and Customs Enforcement grant her release from detention on parole. Allowing Ms. Kourmouzis to await the final determination on her withdrawal request from outside of detention will save the government needed resources and allow Ms. [redacted] to no longer suffer incredible mental and emotional anguish while her case is resolved. Ms. [redacted]' family is ready to receive her at a moment's notice, and her counsel will help ensure that all future court dates and correspondence is timely received and responded to.

Thank you for your time and consideration in this matter,

Luis Cortes Romero, Esq.

NOVO LEGAL

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Sponsorship Details

- Respondent's address in Canada: [redacted]
- Respondent's phone n[redacted]