

Note On Motions To Continue:

Immigration judges follow different rules for motion to continue. Call the immigration court clerk at 213 894-2811 to learn if your immigration judge has unique requirements. Most immigration judges hear the motion the day after it is filed and require the attorney and the respondent to appear. Again, you must check what procedures are required of the immigration judge to whom your case is assigned.

KATKA WERTH (AZ BAR #22314)
PUBLIC COUNSEL
610 S. Ardmore Ave.
Los Angeles, CA 90005
Tel. (213) 385-2977 ext. 126
Fax (213) 385-9089

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
LOS ANGELES, CALIFORNIA

In the Matter of)
)
Jane SMITH) File No. XXX-XXX-XXX
)
)
In Removal Proceedings)
_____)

Immigration Judge: David C. Anderson Hearing Date: July xx, 2009 at 8:00 AM

RESPONDENT'S MOTION TO CONTINUE

1. INTRODUCTION

Katka Werth, *pro bono* counsel for Respondent Jane Smith submits this Motion to Continue. These proceedings are set for a continued merits hearing on July 30, 2009 at 8:00 AM to allow the government to cross examine Ms. Smith. Ms. Smith is pregnant and her estimated due date is on July 26, 2009. *See* Declaration of Jane Smith, Exhibit A. Ms. Smith respectfully asks the Court for a continuance.

2. STATEMENT OF FACTS

Ms. Smith is currently 30 weeks pregnant. *See id.* According to her obstetrician, Dr. J. David Edwards, she is likely to deliver anywhere between July 26 and August 9, 2009. *See* Letter from Dr. David Edwards, Exhibit B.

3. MS. SMITH IS AWARE OF THIS MOTION AND SUPPORTS THE REQUEST FOR A CONTINUANCE.

As set forth in her Declaration attached as Exhibit A, Ms. Smith is aware of this request for a continuance and supports it. She promises to appear at all future immigration court hearings.

4. THERE IS GOOD CAUSE FOR RESPONDENT'S REQUEST FOR A CONTINUANCE

The Immigration Judge may grant a motion for a continuance upon a showing of good cause. 8 CFR § 1003.29. The basis for Respondent's request for a continuance is that she may

have her baby either on the day of the merits hearing or in the few days prior to the hearing. Given that it is difficult to predict when the baby will arrive, Ms Smith asks for a continuance. By continuing the hearing for at least two months, the Court will allow Ms. Smith to deliver the baby and recuperate after the delivery before proceeding with the hearing.

5. CONCLUSION

For the foregoing reasons, Respondent respectfully requests that the Immigration Judge grant her a continuance.

Dated: May 11, 2009

Respectfully submitted,

A handwritten signature in cursive script that reads "K. Werth". The signature is written in black ink and is positioned above a horizontal line.

Katka Werth, Attorney for Respondent.

**LIST OF EXHIBITS
IN SUPPORT OF MOTION TO CONTINUE
FOR JANE SMITH (A# XXX-XXX-XXX)**

EXHIBIT	DESCRIPTION	PAGE
A	Declaration of Jane Smith	1
B	Letter from J. David Edwards, M.D.	2

**DECLARATION OF JANE SMITH
IN SUPPORT OF HER MOTION TO CONTINUE**

I, Jane Smith, declare as follow:

1. My name is Jane Smith. My alien number is XXX-XXX-XXX. I am currently scheduled to appear before the Los Angeles Immigration Court for a merits hearing on July xx, 2009 at 8AM. I am writing this declaration in support of my motion to continue this hearing.
2. I am 30 weeks pregnant. My estimated due date is July 26, 2009. Dr. J. David Edwards, my obstetrician, informed me that the baby is likely to be born between July 26 and August 9, 2009.
3. I would like to request a continuance as I may be in labor or delivering or shortly after delivery of my baby on July xx which is the date when my hearing is set at this time. If possible I would like to request at least a two month-continuance to recover from the delivery. I promise to appear at all future immigration court hearings.

I declare under penalty of perjury that the foregoing is true and correct under the laws of the United States of America.

Date: _____

May 2, 2009

J. Smith

Jane Smith

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
LOS ANGELES, CALIFORNIA**

In the Matter of: Jane Smith

A Number: XXX-XXX-XXX

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Respondent's Motion To Continue, 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

David C. Anderson
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 _____

Happy Jones
123 Main Street
Los Angeles, CA 90000
(555) 123-4567

SAMPLE

In Pro Per

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
BALTIMORE, MARYLAND**

In the Matter of:)	
Happy JONES)	A#: 201-xxx-xxx
In Removal Proceedings)	
)	

Immigration Judge: Lisa Dornell

Next Hearing: January 27, 2012 at 9:30 a.m.

RESPONDENT'S MOTION TO CHANGE VENUE

I. INTRODUCTION

Respondent Happy Jones (hereinafter “Ms. Jones”), *in pro per*, moves this Court to change the venue over her immigration proceedings to the Los Angeles Immigration Court. A change of venue is warranted for three reasons. First, Ms. Jones recently moved to Los Angeles, California. This move makes it extremely difficult for her to attend a court hearing in Baltimore. Second, Ms. Jones is indigent and would have been homeless had she remained in Maryland. Third, Ms. Jones has *pro bono* counsel in Los Angeles, California and would be unrepresented if this case were to remain in Baltimore.

II. STATEMENT OF FACTS AND PROCEDURAL BACKGROUND

Ms. Jones arrived in the United States from Cameroon on August 21, 2010 at the Washington Dulles Airport. *See* Declaration of Happy Jones, Exhibit A ¶ 2. She subsequently filed for asylum with the Arlington, Virginia Asylum Office. *Id.* Her asylum application was not granted, and she was issued a Notice to Appear in May 2011. Ms. Jones attended her first hearing at the Baltimore Immigration Court without counsel. The Immigration Judge rescheduled Ms. Jones’s next master hearing for January 27, 2012 at 9:30 at the Baltimore Immigration Court. *See* Notice to Appear, Exhibit B.

Ms. Jones was and is indigent and could not afford living on her own in Maryland. Exhibit A ¶ 5. Fortunately, a friend from Cameroon connected her to a man in Los Angeles who offered her free housing. Ms. Jones moved and now resides at 123 Main Street, Los Angeles, CA 90000. She has filed a change of address form with the Baltimore Immigration Court, a copy of which is attached hereto as Exhibit C.

Ms. Jones has retained attorney Judy London at Public Counsel, a *pro bono* law firm in Los Angeles, to represent her in removal proceedings on condition that venue is

changed to Los Angeles, California. Public Counsel is ideally suited to represent Ms. Jones because Public Counsel's attorneys have extensive experience litigating asylum cases from Cameroon and provide free legal services to indigent clients. Neither Ms. London nor any Public Counsel attorney can appear in the Baltimore Immigration Court, as such travel would be prohibitively expensive. Public Counsel has arranged for Ms. Jones to obtain *pro bono* psychological evaluation and treatment from the Program for Torture Victims located in Los Angeles, California. *See* Declaration of Judy London, Exhibit D.

III. PLEADINGS

Ms. Jones admits the factual allegations in the Notice to Appear and concedes removability. As relief, Ms. Jones is seeking asylum, withholding of removal, and relief under the Convention Against Torture. At this time, Ms. Jones declines to designate a country of removal.

IV. ARGUMENT

This Motion complies with the Immigration Court Practice Manual and 8 C.F.R. § 1003.20(b).

A. This Motion Complies with the Requirements of the Immigration Court Practice Manual.

The following information is included in conformance with the requirements of the Immigration Court Practice Manual. Ms. Jones's next hearing is set for January 27, 2012 at 9:30 AM. *See* Exhibit B. At Section III, above, Ms. Jones has pleaded to the

allegations contained in her NTA. Her current address and telephone can be found on a copy of her change of address form, Exhibit C.

B. There is “Good Cause” to Grant Ms. Jones’s Motion to Change Venue.

An Immigration Judge may grant a change of venue “for good cause.” 8 C.F.R. § 1003.20(b). In the present case, Ms. Jones has demonstrated good cause to move her court proceedings from Baltimore, Maryland to Los Angeles, California. First, Ms. Jones’s move to Los Angeles this past summer makes it extremely difficult for her to attend a court hearing in Baltimore. She has no money to pay the cost of travel between Los Angeles and Baltimore were she required to travel to Baltimore for court. Second, she could not remain living in Baltimore, as there she had no source of income, and no housing. Third, Ms. Jones has found *pro bono* counsel in Los Angeles. Public Counsel does not have the funds to represent her out-of-state. Finally, there are also no facts indicating any administrative inconvenience in granting the motion. In light of these factors, the Court should find that there is good cause for a change of venue.

V. CONCLUSION

For the reasons set forth above, Ms. Jones respectfully requests that the Court grant her Motion to Change Venue.

Respectfully submitted,

By: Happy Jones
Happy Jones

Dated: 9-15-11

INDEX OF EXHIBITS IN SUPPORT OF MOTION TO CHANGE VENUE

EXHIBIT	DESCRIPTION	PAGES
A	Declaration of Jones Jones	1
B	Notice to Appear	2-3
C	Change of Address Form	4
D	Declaration of Judy London	5

EXHIBITS OMITTED

PROOF OF SERVICE

In the Matter of:

Happy Jones A# 201-xxx-xxx

On September 15, 2011, I, Judy London, certify that I served a copy of the attached Motion to Change Venue and Supporting Documents by mailing a copy by first class mail, postage prepaid, to the following addresses:

Office of Chief Counsel, ICE
Department of Homeland Security
Fallon Federal Building
31 Hopkins Plaza, Room 1600
Baltimore, Maryland 21201

I declare under penalty of perjury that the foregoing is true and correct. Executed at Los Angeles, California on September 15, 2011.

By: 
Judy London

SAMPLE

DETAINED

Talia Inlender, Esq.
610 S. Ardmore Ave.
Los Angeles, California 90005
Telephone: (213) 385-2977, ext. 235
Fax: (213) 385-9089

Pro Bono Attorney for Respondent

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
LOS ANGELES, CALIFORNIA

In the Matter of:)
)
John Doe)
)
Respondent.)
)
In Removal Proceedings)
_____)

File No.: A 123-456-789

Immigration Judge: Lorraine Munoz

Next Hearing: September 3, 2009 at 1:00 PM

**RESPONDENT'S MOTION TO PERMIT TELEPHONIC TESTIMONY
OF DR. JAMES SMITH**

Respondent John Doe, through *pro bono* counsel, submits this Motion to Permit Telephonic Testimony in compliance with Immigration Court Practice Manual 4.15(o)(iii). As the accompanying Witness List makes clear, Ms. Inlender is planning to call Dr. James Smith as an expert witness at Mr. Does' merits hearing. Mr. Doe respectfully requests that Dr. Smith be permitted to testify via telephone.

Dr. Smith lives and works in Eugene, Oregon. He is unable to travel to Los Angeles for Mr. Doe' merits hearing. Neither Dr. Smith nor Ms. Inlender's non-profit organization has travel funds to pay for Dr. Smith's travel to Los Angeles. *See* Declaration of Talia Inlender ¶ 3 (attached at Exhibit A). Dr. Smith will be available to testify from his home in Eugene. His telephone number there is (123) 456-7890. Based on the lengths of testimony anticipated in the accompanying Witness List, Mr. Doe proposes to make Dr. Smith available between the hours of 3:00 PM – 5:00 PM on the hearing date.

* * * * *

For the reasons outlined above, Mr. Doe respectfully requests that the Court grant this Motion to Permit Telephonic Testimony.

Dated: July 30, 2009

Respectfully Submitted,

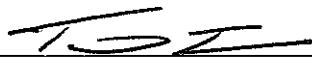
By: 
Talia Inlender, Esq.
PUBLIC COUNSEL
Attorney for Respondent John Doe

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TAB	DESCRIPTION	PAGES
A	Declaration of Talia Inlender	1-2

DECLARATION OF TALIA INLENDER

I, Talia Inlender, declare as follows:

1. I am a member of the State Bar of California and an attorney at Public Counsel. I represent Respondent John Doe in these removal proceedings. I have personal knowledge of the matters set forth below and could competently testify to them if called to do so.

2. On July 31, 2009, I intend to submit to the Court an expert declaration from Dr. James Smith. I am planning on presenting Dr. Smith as a witness at Mr. Doe' September 3, 2009 Merits Hearing.

3. I have corresponded with Dr. Smith, and I can report that he lives and works in Eugene, Oregon. He is unable to travel to Los Angeles for Mr. Doe' merits hearing. Neither Dr. Smith nor my non-profit organization has travel funds to pay for Dr. Smith's trip to Los Angeles.

4. Dr. Smith will be available from his home telephone in Eugene, Oregon. His telephone number there is: (123) 456-7890.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed July 30, 2009 in Los Angeles, California.



TALIA INLENDER

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
LOS ANGELES, CALIFORNIA**

In the Matter of: John Doe

A: 123-456-789

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Motion to Permit Telephonic Testimony of Dr. James Smith, 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 applications for relief must be filed by: _____.
- The respondent must comply with DHS biometrics instructions by: _____.

Date

Lorraine Munoz
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

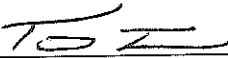
In the Matter of:

John Doe A# 123-456-789

I, Talia Inlender, certify that on July 31, 2009, I served a copy of Motion to Permit Telephonic Testimony of Dr. James Smith, by hand delivery to the following address:

Office of Chief Counsel, ICE
Department of Homeland Security
606 S. Olive Street, 8th Floor
Los Angeles, CA 90014

I declare under penalty of perjury that the foregoing is true and correct. Executed at Los Angeles, California on July 31, 2009.

By: 
Talia Inlender

KRISTEN JACKSON (Bar No. 226255)
PUBLIC COUNSEL
610 South Ardmore Avenue
Los Angeles, CA 90005
Telephone (213) 385-2977, ext. 157
Facsimile (213) 385-9089

SAMPLE

Proposed Counsel for Respondent
Jane Doe

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
LOS ANGELES, CALIFORNIA**

In the Matter of:)
)
) File No. A 012-345-678
Jane Doe)
)
)
In Removal Proceedings)
_____)

Immigration Judge A. Ashley Tabaddor Hearing: October 08, 2008 at 9:00 AM

MOTION FOR SUBSTITUTION OF COUNSEL

Kristen Jackson, proposed *pro bono* counsel for Respondent Jane Doe, submits this Motion for Substitution of Counsel. This Motion complies with 8 C.F.R. § 1003.17(b) and the Immigration Court Practice Manual.

A. There is Good Cause to Grant this Motion

Jane is an abused, abandoned and neglected child who is a dependent of the Riverside County Juvenile Court. She has an approved I-360 Petition for Special Immigrant Juvenile Status and is now *prima facie* eligible for adjustment of status. *See* INA § 101(a)(27)(J); § 245(h)(1). Jane cannot afford to pay an attorney to represent her in immigration court, and she needs an attorney with experience on SIJS cases. Ms. Jackson – who has substantial experience working with Special Immigrant Juveniles – has agreed to represent Jane *pro bono*. *See* Jackson Declaration ¶¶ 2, 4 (attached as Tab A). It is clearly in Jane’s best interests that this Motion be granted, and it is anticipated that granting this Motion would conserve judicial resources as well – either through termination of these removal proceedings or a prompt adjustment of status.

B. Prior Counsel Has Been Notified of This Motion

As the attached proof of service reflects, Jane’s prior counsel Jasmine Flowers has been notified of this Motion.

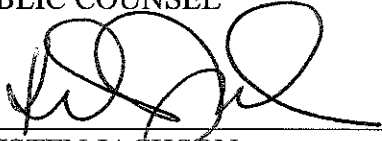
C. Jane Has Consented to This Substitution of Counsel

On September 22, 2008, Jane met with Ms. Jackson about her immigration court case. At that time, Jane consented to Ms. Jackson’s representing her in her removal proceedings – as did the employees of Riverside County Department of Public Social Services who have responsibility for Jane’s case. *See id.* ¶ 4.

For these reasons, it is requested that the Court grant this Motion for Substitution of Counsel.

Dated: September 22, 2008

Respectfully Submitted,
PUBLIC COUNSEL

By: 

KRISTEN JACKSON
Proposed Counsel for Respondent

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A	Declaration of Kristen Jackson	1-2

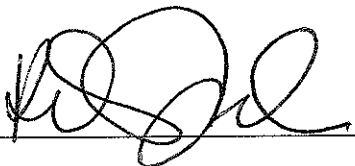
DECLARATION OF KRISTEN JACKSON

I, KRISTEN JACKSON, declare as follows:

1. I am a member of the State Bar of California and an attorney at Public Counsel. I have personal knowledge of the matters set forth below and could testify to them if called to do so.
2. In the past five years, I have represented over 250 children seeking Special Immigrant Juvenile Status (“SIJS”) and SIJS-based adjustment of status. I have represented these children before U.S. Citizenship & Immigration Services and before the Executive Office for Immigration Review. In addition to my case work, I also provide SIJS training and technical assistance nationwide.
3. Olga Seguias-Nassif – a Children’s Services Supervisor II at the Riverside County Department of Public Social Services – has contacted me about Jane Doe. She explained that Jane is a juvenile court dependent who should soon have an approved I-360 Petition for Special Immigrant Juvenile Status, and that Jane needs *pro bono* assistance from an attorney with SIJS experience.
4. On September 22, 2008, I met with Jane, Olga and Jessica Ursulo, DPSS’s International Liason. I interviewed Jane and I explained that I am willing to represent Jane at no cost before this Court. Jane, Olga, and Jessica consented to my representing Jane in her removal proceedings and my filing this Motion for Substitution of Counsel.
5. If the Court grants this Motion, I anticipate that I will work with U.S. Immigration & Customs Enforcement to have Jane’s removal proceedings terminated without prejudice. If

that is not successful, then I plan to complete a prompt adjustment of status before the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed September 22, 2008 in Los Angeles, California.

A handwritten signature in black ink, appearing to read 'KRISTEN JACKSON', is written over a horizontal line. The signature is stylized and cursive.

KRISTEN JACKSON

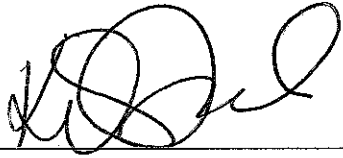
Jane Doe

A 012-345-678

PROOF OF SERVICE

On September 25, 2008, I, Kristen Jackson, served by hand delivery a copy of this Motion for Substitution of Counsel and any attached pages to the Department of Homeland Security's Office of the District Counsel, at the following address:

U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Office of the Chief Counsel
606 South Olive Street, 8th Floor
Los Angeles, California 90014



Signature

9/25/08

Date

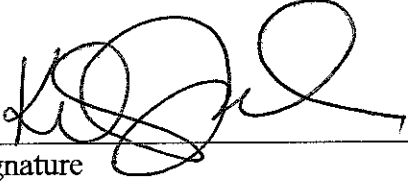
Jane Doe

A 012-345-678

PROOF OF SERVICE

On September 25, 2008, I, Kristen Jackson, served by mail a copy of this Motion for Substitution of Counsel and any attached pages on Jane's prior counsel Jasmine Flowers at the following address:

Law Offices of Jasmine Flowers
123 S. Main Street, Suite 102
Los Angeles, CA, 90000



Signature

09/25/08

Date

Katka Werth (AZSB#: 22314)
PUBLIC COUNSEL
610 S. Ardmore Ave
Los Angeles, CA 90005
Te.: 213 385-2977 ext.126
Fax: 213 385-9089

Pro Bono Attorney for Respondent

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
LOS ANGELES, CALIFORNIA**

In Re:)
)
 George Smith) FILE NO: A 012-345-678
)
 Respondent)
)
 In Removal Proceedings)
 _____)

Immigration Judge: Jan D. Latimore

Next Hearing: June 18, 2011 at 8:00 a.m.

MOTION TO WITHDRAW AS COUNSEL

I. INTRODUCTION

Katka Werth (“Ms. Werth”), counsel for Respondent George Smith, hereby requests that the Immigration Judge allow her to withdraw her appearance on behalf of Respondent pursuant to 8 C.F.R. § 1003.17(b) and § 2.3(i)(ii) of the Immigration Court Practice Manual. Such withdraw is warranted because counsel has lost contact with the Respondent.

II. STATEMENT OF PROCEEDINGS

Respondent, a citizen of Turkey, entered the United States on September 4, 2009. He filed for asylum on December 4, 2009. On February 9, 2010, the Los Angeles asylum office referred his case to the Los Angeles immigration court. Respondent appeared for his master calendar with Ms. Werth before the immigration court on May 2, 2010. The Immigration Judge scheduled Respondent’s merits hearing for June 18, 2011.

III. THIS MOTION SHOULD BE GRANTED BECAUSE MS. WERTH LOST CONTACT WITH THE RESPONDENT, AND THE MOTION COMPLIES WITH THE IMMIGRATION COURT PRACTICE MANUAL’S REQUIREMENTS

On June 21, 2010, Ms. Werth received a phone call from the Respondent’s daughter, Ms. Svetlana Smith. Ms. Smith informed Ms. Werth that her father left the United States and has no intention of returning, and that he left no forwarding address. Ms. Werth tried to contact the Respondent by telephone and by mail at his last known number and address to insure the accuracy of this information. However, Respondent’s

daughter responded to Ms. Werth's correspondence by again indicating that her father had left the United States. Declaration of Katka Werth, Exhibit A, ¶¶ 3-5.

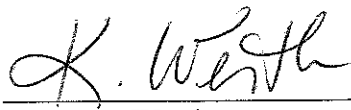
Ms. Werth does not know the whereabouts of Mr. Smith and does not have his current contact information. Ms. Werth has not spoken or seen the Respondent since June 3, 2010, at his last master calendar hearing. She has no reason to believe that the information provided by Ms. Smith is inaccurate. *Id.*

This motion complies with § 2.3(i)(ii) of the Immigration Court Practice Manual. The reason for withdraw is Ms. Werth's lack of contact with Respondent. His last known address is 4444 Wilshire Blvd., Los Angeles, California, 90005. Ms. Werth has attempted to notify the Respondent that she is moving to withdraw as his counsel and to obtain his consent to such withdraw, but he has not responded to her letter or phone call. Ms. Werth believes she cannot obtain his consent, as his daughter has indicated that he has left the United States and not left a forwarding address. Ms. Werth's letter to the Respondent indicated the date, time, and place of his scheduled merits hearing, the date of his filing deadline, and the consequences of his failure to be in contact with his counsel. Exhibit A, ¶ 2-5.

IV. CONCLUSION

For all of the reasons set forth above, Ms. Werth respectfully asks that this motion for Ms. Werth to withdraw as counsel be granted.

Respectfully submitted:

By: 
Katka Werth
Attorney for Respondent

Dated: 8/2/10

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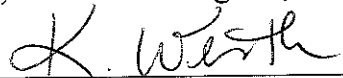
TAB	DESCRIPTION	PAGES
A	Declaration of Attorney Katka Werth	1

DECLARATION OF ATTORNEY KATKA WERTH

I, Katka Werth, declare:

1. I am an attorney at law duly licensed to practice before the courts of the State of Arizona.
2. I am the attorney of record in the removal proceedings of George Smith.
3. On June 21, 2010 Ms. Smith, the daughter of George Smith, informed me by telephone that her father left the United States and will not return. She stated that he had not provided a forwarding address.
4. After receiving this information from Ms. Smith, I left him a telephone message at the cell phone number he provided in an attempt to obtain his consent to withdrawing as his counsel of record. No one responded to the message. I also sent him a letter on June 22, 2010, indicating that I intended to move to withdraw as his counsel if he did not contact me. I stated in the letter that he had a merits hearing scheduled June 18, 2011, and a deadline to file supplemental evidence of May 18, 2011.
5. Mr. Smith did not respond to my letter, though his daughter Ms. Smith told me she had received it at the address where he had previously resided. She still had no forwarding address for Mr. Smith, but told me that he had no intention of returning to the United States and continuing with his immigration case. I have no reason to doubt the accuracy of Ms. Smith's information.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 2, 2010 at Los Angeles, California.

Signed by: 

George Smith

A 012-345-678

PROOF OF SERVICE

On August 2, 2010, I, Katka Werth, served by hand delivery a copy of this Motion to Withdraw as Counsel and any attached pages to the Department of Homeland Security's Office of the District Counsel, at the following address:

U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Office of the Chief Counsel
606 South Olive Street, 8th Floor
Los Angeles, California 90014

K. Werth

Signature

8/2/10

Date

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
LOS ANGELES, CALIFORNIA**

In the Matter of: George Smith A 012-345-678

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Motion to Withdraw as Counsel, 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 applications for relief must be filed by:
_____.
- The respondent must comply with DHS biometrics instructions by:
_____.

Date

Jan D. Latimore
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 _____