Attorney Name **NON-DETAINED**

Firm

Address

Address 2

Telephone:

Facsimile:

***Pro bono* counsel for Respondents**

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**UNITED STATES IMMIGRATION COURT**

**LOS ANGELES, CALIFORNIA**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**)**

**In the Matters of: )**

**)**

**)**

**RESPONDENT NAME ) A-Number:**

**)**

**)**

**In Removal Proceedings )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)**

**Immigration Judge : Hon.**

**Individual Calendar Hearing:**

**RESPONDENT’S MOTION TO DISMISS WITHOUT PREJUDICE**

**RESPONDENT’S MOTION TO DISMISS WITHOUT PREJUDICE**

Respondent, NAME, through her undersigned counsel, hereby submits the following request that the above captioned matter be dismissed without prejudice. The Respondent is pursuing Special Immigrant Juvenile Status (SIJS). *See* INA § 101(a)(27)(J). She has filed a petition seeking a predicate state order with the Los Angeles Superior Court and has a hearing scheduled on \_\_\_\_\_\_\_\_\_\_\_\_\_\_. If said order is granted, the Respondent intends to file a Form I-360, Petition for Special Immigrant Juvenile Status, with United States Citizenship and Immigration Services (USCIS). Accordingly, dismissal is appropriate under these circumstances. *See Matter of Coronado Acevedo*, 28 I&N Dec. 648 (A.G. 2022).

Allowing the Respondent to first pursue Special Immigrant Juvenile Status would conserve important agency and judicial resources, ensuring those resources are only further expended should the Respondent’s pursuit of SIJS be unsuccessful. For this reason, the Respondent respectfully requests that the Court dismiss this matter without prejudice.

Respectfully submitted this the \_\_\_\_ day of \_\_\_\_\_\_\_\_, 2023.

|  |  |  |
| --- | --- | --- |
|  |  | |
|  | By: |  |
|  | | Name  Law Firm  Address  Address 2  Telephone:  Facsimile: |

*Attorney for Respondents*

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**UNITED STATES IMMIGRATION COURT**

**LOS ANGELES, CALIFORNIA**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**)**

**In the Matters of: )**

**)**

**RESPONDENT NAME ) A-Number:**

**)**

**In Removal Proceedings )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)**

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of the **Respondent’s Motion to Dismiss Without Prejudice**, 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 by: [ ] Mail [ ] Personal Service

To: [ ] Alien [ ] Alien c/o Custodial Officer [ ] Alien’s Atty/Rep [ ] DHS

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: Court Staff\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PROOF OF SERVICE**

I, NAME, hereby certify that I did serve a copy of this **RESPONDENT’S MOTION TO DISMISS WITHOUT PREJUDICE** and any attached documents on the ICE of the DHS on **DATE** by e-service at <https://eservice.ice.gov> to:

**Department of Homeland Security**

**ICE**

**Office of Chief Counsel**

**606 S. Olive Street, 15th Floor**

**Los Angeles, CA 90014**

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name