**Attorney Name (EOIR # \_\_\_\_) NOT DETAINED**

**Attorney Name (EOIR # \_\_\_\_)**

**Firm Name**

**Firm address**

**Firm City, State Zip**

**Attorney phone number**

**Attorney Email Address**

***Pro bono* Counsel for Respondent[s]**

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**NEW YORK IMMIGRATION COURT**

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| **----------------------------------------------------** | ))))))))))))) | **AXXX-XXX-XXX****AXXX-XXX-XXX** |
| **In the Matter of:** **First name Last Name,** **First name Last Name,****Respondent[s].****In Removal Proceedings** |
| **----------------------------------------------------** |

**Immigration Judge: Judge’s Full Name Next Hearing: Month day, 2017 at x:xx p.m.**

**[RESPONDENT’S] [RESPONDENTS’] MOTION TO PRESENT TELEPHONIC TESTIMONY**

[Mr. \_\_\_\_\_] [Ms. \_\_\_\_\_\_], through [his] [her] *pro bono* counsel, hereby moves this Court pursuant to 8 C.F.R. § 1003.25(c) to allow the testimony of the witnesses listed below to be done by telephone. The support for this Motion is as follows:

1. [Mr. \_\_\_\_\_] [Ms. \_\_\_\_\_\_], is seeking relief in the form of asylum, withholding of removal, and protection under the Convention Against Torture. [His] [Her] individual hearing is set for \_\_\_\_\_\_\_\_\_\_\_\_\_. [Mr. \_\_\_\_\_] [Ms. \_\_\_\_\_\_] [has suffered past persecution and] [has a well-founded fear of future persecution] on account of [his][her] [protected ground].
2. [Mr. \_\_\_\_\_] [Ms. \_\_\_\_\_\_] requests that the following witnesses be allowed to testify telephonically, for the reasons stated below.
	1. Professor Rebecca G. Flora is a published expert on the political situation in Russia. Her testimony will be of significant assistance to the Court in understanding the ongoing targeting of opposition members by the Russian government, and the seriousness of the danger to [Mr. \_\_\_\_\_] [Ms. \_\_\_\_\_\_] if he were forced to return to Russia. [Mr. \_\_\_\_\_] [Ms. \_\_\_\_\_\_] has submitted a copy of Ms. Flora’s Affidavit and Curriculum Vitae, attached to the Proposed Witness List. Ms. Flora resides and works in London. It would be a financial burden for her to testify in person at the hearing in New York on March 17, 2015. Ms. Flora is prepared to testify telephonically from her office in London if the Court or Department of Homeland Security have questions for her. She can be reached at 011- 44-20-7606-3030.
	2. [Do the same thing for the next witness who you would like to be allowed to testify telephonically. State full name of witness and why witness cannot testify in person. Include telephone number.]
	3. [Do the same thing for the next witness who you would like to be allowed to testify telephonically. State full name of witness and why witness cannot testify in person. Include telephone number.]

For the above-mentioned reasons, and with good cause shown, [Mr. \_\_\_\_\_] [Ms. \_\_\_\_\_\_] respectfully requests that the Court grant this Motion.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Respectfully Submitted,

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Attorney Name

 *Pro bono* counsel to [Mr. \_\_\_\_\_] [Ms. \_\_\_\_\_\_]

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**NEW YORK IMMIGRATION COURT**

In the Matter of: **First name LAST NAME** **AXXX-XXX-XXX**

 **First name LAST NAME** **AXXX-XXX-XXX**

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of [Respondent’s] [Respondents’] Motion to Present Telephonic Testimony, it is HEREBY ORDERED that the Motion be q **GRANTED q 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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 United States 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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the following, specifically described document(s):

Motion to Present Telephonic Testimony

was properly served on Immigration and Customs Enforcement (ICE) Office of Chief Counsel on Month Day, Year by [hand] [regular mail] [Federal Express] to:

 Department of Homeland Security

 ICE

 Office of the Chief Counsel

 26 Federal Plaza, 11th Floor

New York, NY 10278

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name