[Date]

[Relevant USCIS Filing Address]

**Re: I-589 Application Re-Filing After EOIR Dismissal of Removal Proceedings – [Client Name / Client A-Number]**

Dear USCIS Officer:

I represent [Client Name] with regard to her I-589 application (the “Application”). A signed Form G-28 is enclosed. **Ms. [Name] is re-filing this Application with USCIS because she was previously in immigration court proceedings, and her proceedings were dismissed by IJ [Name] on [date]**.

Ms. [Name] initially applied for asylum and withholding of removal before the [Name] Immigration Court on [date], in advance of her one-year filing deadline. While that application was pending, the U.S. Department of Homeland Security moved to dismiss Ms. [Name’s] case. The motion was granted on [date]. In accordance with USCIS guidance published on October 13, 2023, USCIS should issue Ms. [Name] an I-589 receipt notice with her original Form I-589 filing date of [date].[[1]](#footnote-1)

In the alternative, this Application should be considered timely because the dismissal of Ms. [Name’s] removal proceedings constitutes “extraordinary circumstances” directly related to the timing of filing the present Application. 8 C.F.R. § 208.4(a)(5). This Application is being filed within [amount of time after dismissal], a reasonable period of time after the dismissal. *Id.*

In support of this request, please find the following forms and documents enclosed:

* Form G-1145, e-Notification of Application/Petition Acceptance;
* Form G-28, Notice of Entry of Appearance as Attorney;
* Updated Form I-589, Application for Asylum and for Withholding of Removal;
* Copy of Ms. [Name’s] [Country] Passport;
* [Optional] Copy of Ms. [Name’s] [other identity document];
* Copy of Ms. [Name’s] previously filed, court-stamped Form I-589, Application for Asylum and for Withholding of Removal, timely filed with the [Name] Immigration Court on [date];
* Copy of the Order of Dismissal issued by Immigration Judge [Name] on [date].

Should you have any questions about this request, please do not hesitate to contact me at [contact information].

Sincerely,

[Name]

[Firm/Organization Name]

[Firm/Organization Address]

1. *See* USCIS Alerts, “USCIS Issues New Instructions for Filing Asylum Applications with USCIS After EOIR Dismissal or Termination of Removal Proceedings,” available at: <https://www.uscis.gov/newsroom/alerts/uscis-issues-new-instructions-for-filing-asylum-applications-with-uscis-after-eoir-dismissal-or>. [↑](#footnote-ref-1)