

U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT LOCATED AT
800 DOLOROSA STREET SUITE 300
SAN ANTONIO, TX 78207

IN THE MATTER OF:) NON-DETAINED
)
) IN REMOVAL PROCEEDINGS
)
) File No. 7-745

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of Motion To Reopen *In Absentia* Removal Order Based on Lack of Notice And *Pereira v. Sessions* and A Request For A Stay of Deportation During The Pendency of The Instant Motion in the above-referenced case, it is HEREBY ORDERED that the motion be X

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. *Substantial Authority Potential*
☐ The court agrees with the reasons stated on the opposition to the motion. *42B Relief.*
☐ The motion is untimely per _____ *Sufficient evidence to*
☒ Other: *Respondent should appear in the San Antonio, TX Im Ct. OR*
Deadlines: *file a timely motion to change venue.* *allow Respondent to develop the Record at a*
☐ The application(s) for relief must be filed by _____ *Full contradictory hearing*
☐ Respondent must comply with DHS biometrics instructions by _____

7-6-2021

Date

The Honorable McCauley, U.S. Immigration Court 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: 7/20/21

By: Court Staff [Signature]

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U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT LOCATED AT
800 DOLOROSA STREET SUITE 300
SAN ANTONIO, TX 78207

IN THE MATTER OF:) NON-DETAINED
)
) IN REMOVAL PROCEEDINGS
)
) File No. 7-745

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of Respondent's Motion to Substitute Counsel in the above-referenced case, 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. - *Dua Sprout. Potentio*
☐ The court agrees with the reasons stated on the opposition to the motion. *42B Relief.*
☐ The motion is untimely per _____
☒ Other: *Respondent should appear in San Antonio, Tx Immigration Court or file a TIMELY motion to change venue.* *Sufficient Evidence to allow Respondent to develop the Record at a*
☐ The application(s) for relief must be filed by _____
☐ Respondent must comply with DHS biometrics instructions by _____ *Full Evidentiary Hearing*

Date 6-23-2021 The Honorable *C. McCulloch* U.S. Immigration Court 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: 7/20/21

By: Court Staff *[Signature]*

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UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
800 DOLOROSA STREET, SUITE 300
SAN ANTONIO, TX 78207

Serving Immigrants Inc.
Cuprys, Magdalena
4011 West Flagler St. Suite 406
Miami, FL 33134

In the matter of File A' -745 ^{LR} DATE: Jul 20, 2021

- Unable to forward - No address provided.
- Attached is a copy of the decision of the Immigration Judge. This decision is final unless an appeal is filed with the Board of Immigration Appeals within 30 calendar days of the date of the mailing of this written decision. See the enclosed forms and instructions for properly preparing your appeal. Your notice of appeal, attached documents, and fee or fee waiver request must be mailed to:
- Board of Immigration Appeals
Office of the Clerk
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041
- Attached is a copy of the decision of the immigration judge as the result of your Failure to Appear at your scheduled deportation or removal hearing. This decision is final unless a Motion to Reopen is filed in accordance with Section 242b(c)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1252b(c)(3) in deportation proceedings or section 240(b)(5)(C), 8 U.S.C. § 1229a(b)(5)(C) in removal proceedings. If you file a motion to reopen, your motion must be filed with this court:
- IMMIGRATION COURT
800 DOLOROSA STREET, SUITE 300
SAN ANTONIO, TX 78207
- Attached is a copy of the decision of the immigration judge relating to a Reasonable Fear Review. This is a final order. Pursuant to 8 C.F.R. § 1208.31(g)(1), no administrative appeal is available. However, you may file a petition for review within 30 days with the appropriate Circuit Court of Appeals to appeal this decision pursuant to 8 U.S.C. § 1252; INA §242.
- Attached is a copy of the decision of the immigration judge relating to a Credible Fear Review. This is a final order. No appeal is available.

XX Other: IJ ORDER AND NOTICE

DMP
COURT CLERK
IMMIGRATION COURT

FF

cc: DHS / ASSISTANT CHIEF COUNSEL
1015 JACKSON-KELLER, SUITE 100
SAN ANTONIO, TX, 78213

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UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN ANTONIO, TX

Serving Immigrants Inc.
Cuprys, Magdalena
4011 West Flagler St. Suite 406
Miami, FL 33134

FILE NO. A -745
RESPONDENT(S) A -745

DATE: Jul 20, 2021

NOTICE OF CANCELLATION OF IMMIGRATION HEARING

RE: ERAZO-GARCIA, WILMER

PLEASE TAKE NOTICE THAT THE ABOVE CAPTIONED CASE SCHEDULED
FOR A HEARING BEFORE AN IMMIGRATION JUDGE ON
Jan 5, 2022, AT 09:00 A.M. HAS BEEN CANCELLED. YOU WILL RECEIVE
NOTICE OF THE NEW DATE AND TIME OF THE HEARING FROM:

THE IMMIGRATION COURT
800 DOLOROSA STREET, SUITE 300
SAN ANTONIO, TX 78207

IF YOU ARE THE ATTORNEY/REPRESENTATIVE OF RECORD, IT IS YOUR
RESPONSIBILITY TO ADVISE YOUR CLIENT OF THIS INFORMATION
AND TO ASSURE HIS/HER APPEARANCE WHEN THE NEW NOTICE IS
ISSUED.

IF YOU ARE THE RESPONDENT/APPLICANT YOU ARE REQUIRED TO
APPEAR AT THE DATE, TIME AND ADDRESS INDICATED IN THE NEW
NOTICE.

FOR INFORMATION REGARDING THE STATUS OF YOUR CASE, CALL TOLL FREE
1-800-898-7180 or 304-625-2050.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL [M] PERSONAL SERVICE [P] ELECTRONIC SERVICE [E]
TO: [] ALIEN [] ALIEN c/o Custodial Officer [M] ALIEN's ATT/REP [P] DHS
DATE: 7/20/21 BY: COURT STAFF DMP
Attachments: ☒ EOIR-33 [] EOIR-28 ☒ Legal Services List ☒ Other

Appeals Packet
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NOTICE OF HEARING IN REMOVAL PROCEEDINGS
IMMIGRATION COURT
800 DOLOROSA STREET, SUITE 300
SAN ANTONIO, TX 78207

LEAD FILE: 745
RE: 745

DATE: Jul 20, 2021

TO: Serving Immigrants Inc.
Cuprys, Magdalena
4011 West Flagler St. Suite 406
Miami, FL 33134

Please take notice that the above captioned case has been scheduled for a/an MASTER hearing before the Immigration Court on Jan 5, 2022 at 09:00 A.M. at:
800 DOLOROSA STREET, SUITE 300
SAN ANTONIO, TX 78207

You may be represented in these proceedings, at no expense to the Government, by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. Your hearing date has not been scheduled earlier than 10 days from the date of service of the Notice to Appear in order to permit you the opportunity to obtain an attorney or representative. If you wish to be represented, your attorney or representative must appear with you at the hearing prepared to proceed. You can request an earlier hearing in writing.

Failure to appear at your hearing except for exceptional circumstances may result in one or more of the following actions: (1) You may be taken into custody by the Department of Homeland Security and held for further action. OR (2) Your hearing may be held in your absence under section 240(b) (5) of the Immigration and Nationality Act. An order of removal will be entered against you if the Department of Homeland Security established by clear, unequivocal and convincing evidence that a) you or your attorney has been provided this notice and b) you are removable.

IF YOUR ADDRESS IS NOT LISTED ON THE NOTICE TO APPEAR, OR IF IT IS NOT CORRECT, WITHIN FIVE DAYS OF THIS NOTICE YOU MUST PROVIDE TO THE IMMIGRATION COURT SAN ANTONIO, TX THE ATTACHED FORM EOIR-33 WITH YOUR ADDRESS AND/OR TELEPHONE NUMBER AT WHICH YOU CAN BE CONTACTED REGARDING THESE PROCEEDINGS. EVERYTIME YOU CHANGE YOUR ADDRESS AND/OR TELEPHONE NUMBER, YOU MUST INFORM THE COURT OF YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER WITHIN 5 DAYS OF THE CHANGE ON THE ATTACHED FORM EOIR-33. ADDITIONAL FORMS EOIR-33 CAN BE OBTAINED FROM THE COURT WHERE YOU ARE SCHEDULED TO APPEAR. IN THE EVENT YOU ARE UNABLE TO OBTAIN A FORM EOIR-33, YOU MAY PROVIDE THE COURT IN WRITING WITH YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER BUT YOU MUST CLEARLY MARK THE ENVELOPE "CHANGE OF ADDRESS." CORRESPONDENCE FROM THE COURT, INCLUDING HEARING NOTICES, WILL BE SENT TO THE MOST RECENT ADDRESS YOU HAVE PROVIDED, AND WILL BE CONSIDERED SUFFICIENT NOTICE TO YOU AND THESE PROCEEDINGS CAN GO FORWARD IN YOUR ABSENCE.

A list of free legal service providers has been given to you. For information regarding the status of your case, call toll free 1-800-898-7180 or 304-625-2050.

CERTIFICATE OF SERVICE

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MAIL[M] PERSONAL SERVICE [P] ELECTRONIC SERVICE [E]

TO: [] ALIEN [] ALIEN c/o Custodial Officer [M] ALIEN's ATT/REP [P] DHS

DATE: 7/20/21 BY: COURT STAFF DMP

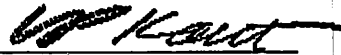
Attachments: [] EOIR-33 [] EOIR-26 [] Legal Services List [X] Other T3

— — — — —

cross-examine witnesses presented by the government, except that the respondent is not entitled to examine any national security information that the government may proffer. 8 C.F.R. § 1240.10(a)(1), (3), (4).

So ordered.

7/20/21
Date


Charles P. Kontras
Assistant Chief Immigration Judge

Note: * If a party believes that a master calendar hearing is necessary, the party must make a written motion for master calendar hearing in accordance with Chapter 5 of the OCIJ Practice Manual.

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TO: ☐ ALIEN ☐ ALIEN c/o Custodial Officer ☐ ALIEN's ATT/REP ☐ DHS
DATE: 7/20/21 BY: IJ / COURT STAFF DMP

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