



Removal Defense

Online Course

American Immigration Lawyers Association

NON-DETAINED
277-888-000

Module 3: Pretrial Practice and Motions

Exercise: Draft Pleadings and Motions to Change Venue, for Administrative Closure, and to Continue

Part 1: Motion for Change of Venue

How to Complete This Exercise

The course exercises are designed to give you as an opportunity for hands-on practice with the concepts presented in each module.

For this exercise, begin by reading the information and instructions below. Next, use the template provided in this same document to complete the list of reasons in the Motion for Change of Venue. Save your edits to the document on your computer, and upload them into the course in the Completed Exercise Upload component. Once you have uploaded your response, you will be able to download the faculty response. You can self-grade by comparing what our committee member wrote as a correct response for this exercise with what you produced. You will do the same steps again for the Motion for Administrative Closure and to Continue in Part 2 of this exercise.

Remember that this exercise is for your own benefit as an opportunity to apply concepts and practice hands-on skills, so please spend as much time on it as is useful to you for your learning.

Motion for Change of Venue Information

You have been successful in obtaining bond for your client, Jose Reyes Santiago. He has been released from detention in Georgia and is now at home in South Carolina. He has a previously scheduled Master Calendar Hearing upcoming in Atlanta on December 4, 2020 at 9:00 a.m..

Mr. Reyes Santiago is married and has 2 US citizen children. He came to the United States in 2010 and has never left. He appears to be statutorily eligible for Non-Permanent Resident Cancellation of Removal, however his hardship is weak. His 7-year-old daughter has asthma and allergies, but they are both mild and under control with medication. His prior attorney filed



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a U Visa for his benefit 3 years ago in 2017. He has not received deferred action or a U Visa due to the backlog.

Your client does not want to drive to Atlanta for this hearing and has asked you to file a Motion for Change of Venue to the Charlotte court. The client and case details are:

Client Name: Jose Reyes Santiago
Alien Number: 277-888-000
Address: 123 Hideaway Street, Charleston, SC 29407
Phone: 843-200-5566
Office of Chief Counsel: ICE Office of Chief of Counsel, 180 Ted Turner Blvd. SW,
Suite 332, Atlanta, GA 30303

Exercise Instructions

Complete the reasons list in the template below with the relevant details, and upload it into the following course component.



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UNITED STATES DEPARTMENT OF JUSTICE

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW IMMIGRATION COURT ATLANTA, GEORGIA

IN THE MATTER OF:

JOSE REYES SANTIAGO

In Removal Proceedings

File No.: A # 277-888-000

Immigration Judge:

Next Master Calendar Hearing: 12/04/2020 at 9:00a.m.

MOTION FOR CHANGE OF VENUE



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COMES NOW the Respondent, by and through his undersigned attorney, and moves the Court, pursuant to 8 CFR § 3.20, that venue in the above-referenced matter be changed to the Immigration Court in Charlotte, North Carolina, for the following reasons:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

[COMPLETE THIS PORTION]

WHEREFORE, Respondent respectfully requests that this Motion for Change of Venue be granted.

RESPECTFULLY submitted this ____ day of ___, 20XX.

Attorney Name
Attorney for Respondent
EOIR#
Street
Charleston, SC 29407
Tele (843)
Fax (843)
Email



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**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
ATLANTA, GEORGIA**

In the Matter of:
JOSE REYES SANTIAGO

A # Number:
277-888-000

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of JOSE REYES SANTIAGO'S MOTION FOR CHANGE OF VENUE, 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: _____