

February 2, 2015

Assistant Chief Counsel  
U.S. Immigration and Customs Enforcement  
1901 S. Bell Street, Ninth Floor  
Arlington, VA 22202

Re: Joint Motion for Administrative Closure - [REDACTED]

Dear Ms. Wang:

As a follow up to our phone conversation last week, enclosed are two signed copies of the Joint Motion for Administrative Closure for [REDACTED] aka [REDACTED], A- [REDACTED]

Thank you for your attention to this matter. Please contact me at 202-661-2295 or cockerhams@ballardspahr.com if I may be of any further assistance.

Very truly yours,

SWC/mjl  
Enclosure



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
ARLINGTON, VIRGINIA

_____	)	NON-DETAINED
In the Matter of:	)	
	)	
aka [REDACTED]	)	File No. A: [REDACTED]
Respondent	)	
	)	Before Immigration Judge John M. Bryan
In Removal Proceedings	)	
_____	)	

**JOINT MOTION TO ADMINISTRATIVELY CLOSE PROCEEDINGS**

The U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (Department), and the Respondent(s), by and through their respective undersigned counsel, jointly move the Immigration Judge to administratively close the instant proceedings in the above-captioned matter(s).

As the Board of Immigration Appeals has explained, administrative closure is an administrative convenience “used to temporarily remove a case from an Immigration Judge’s active calendar or from the Board’s docket,” but “does not result in a final order.” *Matter of Avetisyan*, 25 I&N Dec. 688, 692, 695 (BIA 2012). At any time when either party wishes to place a matter back on the docket for active consideration, that party may file a motion to recalendar. *See, e.g., Matter of Avetisyan*, 25 I&N Dec. 688, 695 (BIA 2012); *Matter of Wang*, 23 I&N Dec. 924, 925 (BIA 2006); *Matter of Cervantes-Torres*, 21 I&N Dec. 351, 352 (BIA 1996).

In the instant matter, Respondent has a pending petition for U-1 Nonimmigrant Status with the U.S. Citizenship and Immigration Services. Respondent received a letter from U.S. Citizenship and Immigration Services dated June 3, 2014 stating that “the evidence submitted

with your petition appears to demonstrate that you have established the eligibility requirements for U nonimmigrant status,” but because the statutory cap for U-1 nonimmigrant status had been reached for the fiscal year, Respondent’s petition was placed on a waiting list, where it remains as of this date. Rather than proceed with additional hearings while awaiting the approval of Respondent’s petition, the parties have concluded that it is in their best interest that proceedings be administratively closed. Should either party wish to place this matter back on the active calendar or docket, that party will file a motion to recalendar with this Court. Moreover, notwithstanding any administrative closure of these proceedings, the Respondent(s) acknowledges her obligation to timely notify the Department and Immigration Court of each change of address and new address, consistent with section 265 of the Immigration and Nationality Act and 8 C.F.R. § 1003.15(d)(2).

Based upon the foregoing, the parties request that the Immigration Judge grant this joint motion to administratively close proceedings. Attached, for the Immigration Judge’s convenience, is a proposed order relating to this motion.

Respectfully submitted,

On behalf of  
U.S. Immigration and Customs Enforcement,  
U.S. Department of Homeland Security



Assistant Chief Counsel

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

On behalf of the Respondent,



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
ARLINGTON, VIRGINIA

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In the Matter of:	)	
	)	
aka [REDACTED]	)	File No. A [REDACTED]
Respondent	)	
	)	Before Immigration Judge John M. Bryan
In Removal Proceedings	)	
_____	)	

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of the Joint Motion to Administratively Close Proceedings, the Court states the following:

1. The parties have agreed to administrative closure of the instant proceedings.
2. Other: \_\_\_\_\_.

THEREFORE, it is HEREBY ORDERED that the motion be:

☐ **GRANTED.** These proceedings are hereby administratively closed upon the joint consent and motion of the parties. Proceedings may be recalendared at any time upon either party's motion, and this order does not constitute a final judgment rendered on the merits of these proceedings.

☐ **DENIED.** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Immigration Judge  
John M. Bryant

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

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