

MOTION TO REOPEN AN IN ABSENTIA ORDER: SAMPLE COVER SHEET

Your Name:

Write your full name here

Your Address:

Write your address here

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

City and State:

Write the city and state of your immigration court

In the Matters of:

Write your full name here

(Your Name)

File No.: A

Write your A Number here

(Your Alien Registration Number)

Write your child or spouse's full name here

(Name)

File No.: A

Write your child or spouse's A Number

(Alien Registration Number)

Write your child or spouse's full name here

(Name)

File No.: A

Write your child or spouse's A Number

(Alien Registration Number)

Only include this part if you have a spouse or child included in your immigration court case.

Immigration Judge:

Write the name of your
immigration judge here

**RESPONDENT'S MOTION TO
REOPEN AN IN ABSENTIA ORDER**

RESPONDENT'S MOTION TO REOPEN AN IN ABSENTIA ORDER

Respondent Write your full name here, moves this Honorable Court to reopen these proceedings and rescind the in absentia order of removal.

In support of this motion, I state as follows:

- Write the date and location of your last hearing (the hearing you missed).
- Say why you missed your hearing. Give as many details as you can. You might say:
 - You did not receive your hearing notice.
 - You, your child, or your parent were seriously ill or a parent or child died.
 - You could not travel to court because of severe weather.
 - You, your child, or your parent were the victim of domestic violence.
 - You were in federal or state custody / prison / jail.
 - Another reason out of your control.
- Ask for your case to be reopened.
- Write this statement in English. You can ask someone you trust to write it down for you in English if you are not able to write in English.

Respectfully,

Sign your name here

(Signature)

Write your full name here

(Name)

Write today's date here

(Dated)

MOTION TO REOPEN AN IN ABSENTIA ORDER: SAMPLE ORDER

United States Department of Justice
Executive Office for Immigration Review
Immigration Court

Write the city and state of your current immigration court here

[the court's location (city or town) and state]

In the Matter of: Write your full name here

Alien Number: Write your A-Number here

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the respondent's **Motion to Re-Open an In Absentia Order**, 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 ☐ Electronic Service
To: ☐ Respondent ☐ Respondent's C/O Custodial Officer ☐ Respondent's Atty/Rep ☐ DHS
Date: _____ By: Court Staff _____
Attachments: ☐ EOIR-33 ☐ EOIR-28 ☐ Legal Services List ☐ Other

Leave this part blank. The court will fill out this part.

MOTION TO REOPEN AN IN ABSENTIA ORDER: SAMPLE CERTIFICATE OF SERVICE

Write your full name here

(Respondent's Name)

Write your A-Number here

(Respondent's Alien Number)

CERTIFICATE OF SERVICE

On Write today's date here, I, Write your full name here,
(date) (printed name of person signing below)

served a copy of this **Motion to Reopen an In Absentia Order**,

and any attached pages to Write "Office of the Principal Legal Advisor for DHS – ICE" here
(name of party served)

at the following address: Write the address of your OPLA office here
(address of party served)

by Write how you will send a copy to the government lawyer (OPLA office). For example, "USPS priority mail."
(method of service, for example overnight courier, hand-delivery, first class mail)

Sign your name here

(signature)

Write today's date here

(date)