



COMMUNITY
LEGAL SERVICES IN
EAST PALO ALTO

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DEPARTMENT OF JUSTICE

DEC 3 2013

EXECUTIVE OFFICE
IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CALIFORNIA

VIA USPS CERTIFIED MAIL

November 27, 2013

Honorable Michael J. Yamaguchi
Office of the Immigration Judge
Executive Office for Immigration Review
630 Sansome Street, 4th Floor
San Francisco, CA 94111

Re: Respondent's Form EOIR-28 and Unopposed Motion for Continuance

Respondent: [REDACTED]

File Number: [REDACTED]

Master Calendar Hearing

Hearing Date: December 9, 2013

Hearing Time: 1:30 PM

Dear Judge Yamaguchi:

Please find enclosed for filing Respondent's Form EOIR-28; Unopposed Motion for Continuance; Proposed Order; and Proof of Service on opposing counsel.

Thank you for your attention to this matter.

Sincerely,

Helen Beasley

Enclosures

cc: Jennifer Castro, Assistant Chief Counsel
Respondent

Notice of Entry of Appearance as Attorney or
Representative Before the Immigration Court

(Type or print) NAME AND ADDRESS OF REPRESENTED PARTY			ALIEN (A) NUMBER (S) (List number(s) of all parties represented in this case.)
██████████	██████████	██████████	██████████
(First)	(Middle Initial)	(Last)	
██████████			
(Number and Street)		(Apt. No.)	For disciplinary case, enter docket number.
San Jose	CA	95134	
(City)	(State)	(Zip Code)	

NAME OF ATTORNEY OR REPRESENTATIVE, ADDRESS, FAX & PHONE NUMBERS, & E-MAIL ADDRESS

Helen Beasley helen@clsepa.org

Community Legal Services In East Palo Alto, 2117 University Avenue, Ste B, East Palo Alto, CA 94303

650-326-6440 866-688-5204 Check here if new address

Please check one of the following:

I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest court(s) of the following state(s), possession(s), territory(ies), commonwealth(s), or the District of Columbia (use additional space on reverse side if necessary) and I am not subject to any order disbaring, suspending, or otherwise restricting me in the practice of law (if subject to such an order, explain on reverse).

Full Name of Court Bar Number (if applicable)

Supreme Court of California 279535

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I am an accredited representative as defined in 8 C.F.R. § 1292.1(a)(4) with the following recognized organization: EXECUTIVE OFFICE OF IMMIGRATION COURT SAN FRANCISCO, CALIFORNIA

I am a law student or law graduate of an accredited U.S. law school as defined in 8 C.F.R. § 1292.1(a)(2).

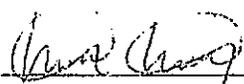
I am a reputable individual as defined in 8 C.F.R. § 1292.1(a)(3).

I am an accredited foreign government official as defined in 8 C.F.R. § 1292.1(a)(5).

I am a person who was authorized to practice on December 23, 1952, under 8 C.F.R. § 1292.1(b).

I hereby enter my appearance as attorney or representative for, and at the request of, the party named above. I have read and understand the statements provided on the reverse side of this form that set forth the regulations and conditions governing appearances and representation before the Immigration Court. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

SIGNATURE OF ATTORNEY OR REPRESENTATIVE **EOIR ID NUMBER** **DATE**

X  RD972858 11/26/2013

Helen Beasley, CA 279535
Community Legal Services in East Palo Alto
2117-B University Avenue
East Palo Alto, CA 94303
Telephone: (650) 326-6440
Facsimile: (866) 688-5204

JUVENILE
DETAINED

Attorney for Respondent
[REDACTED]

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
SAN FRANCISCO, CALIFORNIA

In the Matter of:

[REDACTED]

Respondent,

In Removal Proceedings.

File Number: [REDACTED]

Master Calendar Hearing
Hearing Date: December 9, 2013
Hearing Time: 1:30 P.M.
Before Hon. Michael J. Yamaguchi

RESPONDENT'S UNOPPOSED MOTION FOR CONTINUANCE

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Respondent, through undersigned counsel, hereby requests that his Master Calendar hearing, currently set for December 9, 2013, at 1:30 P.M., be continued for at least 60 days, to allow time for the Santa Clara County Probate Court to issue a decision regarding Respondent's request for factual findings regarding Special Immigrant Juvenile Status, and states the following in support of this request:

I. STATEMENT OF FACTS AND PROCEDURAL HISTORY

1. Respondent is in the custody and care of the Office of Refugee Resettlement (ORR) as an unaccompanied alien child. He was placed in the ORR long-term foster care program at [REDACTED] on [REDACTED]. See Exhibit ("Exh.") A, Declaration of Helen Beasley.
2. On [REDACTED] [REDACTED] submitted a guardianship petition and a request for factual findings regarding Special Immigrant Juvenile Status to the Santa Clara County Probate Court on Respondent's behalf. See *id.* A hearing on the submission will be held before the Santa Clara County Probate Court on January 7, 2014. See *id.*
3. Respondent will be eligible to submit an I-360 petition for Special Immigrant Juvenile Status to U.S. Citizenship & Immigration Services if the Santa Clara County Probate Court issues the requested factual findings on January 7, 2014.

II. ARGUMENT

Pursuant to 8 C.F.R. §1003.29 an Immigration Judge may grant a reasonable continuance for good cause shown. A continuance is warranted to give the Santa Clara County Probate Court time to issue a decision regarding Respondent's request for factual findings regarding Special Immigrant Juvenile Status. Accordingly, having shown good cause, a 60 day continuance of Respondent's Master Calendar hearing is warranted.

III. POSITION OF THE GOVERNMENT

On November 26, 2013, Assistant Chief Counsel Jennifer Castro of the Office of the Chief

Counsel indicated to undersigned counsel that the Department of Homeland Security does not oppose a continuance. See Exh. A.

IV. CONCLUSION

For the foregoing reasons Respondent respectfully requests that the Court continue his Master Calendar hearing for at least 60 days to allow time for the Santa Clara County Probate Court to issue a decision regarding Respondent's request for factual findings regarding Special Immigrant Juvenile Status.

Dated: November 27, 2013

Respectfully submitted,



Helen Beasley
Attorney for Respondent
Community Legal Services in East Palo Alto
2117-B University Avenue
East Palo Alto, CA 94303
Telephone: (650) 326-6440
Facsimile: (866) 688-5204

Helen Beasley, CA 279535
Community Legal Services in East Palo Alto
2117-B University Avenue
East Palo Alto, CA 94303
Telephone: (650) 326-6440
Facsimile: (866) 688-5204

JUVENILE
DETAINED

Attorney for Respondent
[REDACTED]

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
SAN FRANCISCO, CALIFORNIA

In the Matter of:

[REDACTED]

Respondent,

In Removal Proceedings.

File Number: [REDACTED]

Master Calendar Hearing
Hearing Date: December 9, 2013
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Before Hon. Michael J. Yamaguchi

EXHIBITS IN SUPPORT OF RESPONDENT'S UNOPPOSED MOTION FOR
CONTINUANCE

Exhibit _____ Page

A. Declaration of Helen Beasley1

Helen Beasley, CA 279535
Community Legal Services in East Palo Alto
2117-B University Avenue
East Palo Alto, CA 94303
Telephone: (650) 326-6440
Facsimile: (866) 688-5204

JUVENILE
DETAINED

Attorney for Respondent
[REDACTED]

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
SAN FRANCISCO, CALIFORNIA

In the Matter of:

[REDACTED]

Respondent,

In Removal Proceedings.

File Number: [REDACTED]

Master Calendar Hearing
Hearing Date: December 9, 2013
Hearing Time: 1:30 P.M.
Before Hon. Michael J. Yamaguchi

DECLARATION OF HELEN BEASLEY

I, Helen Beasley, hereby declare the following:

I am a staff attorney at Community Legal Services in East Palo Alto, 2117-B University Avenue, East Palo Alto, CA 94303. I make this declaration in support of Respondent [REDACTED]

[REDACTED] Unopposed Motion for Continuance.

On [REDACTED] Yvonne Kung, the program coordinator for the ORR long-term foster care program at [REDACTED] informed me via email that Respondent would be placed in the program on October 21, 2013.

On [REDACTED] Yvonne Kung informed me via email that [REDACTED] [REDACTED] had submitted a guardianship petition and a request for factual findings

EXHIBIT A

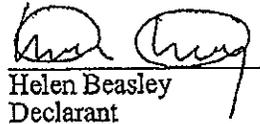
regarding Special Immigrant Juvenile Status to the Santa Clara County Probate Court on Respondent's behalf on October 25, 2013. She further informed me that a hearing on the submission had been scheduled before that court on January 7, 2014.

On November 26, 2013, I requested the position of the Department of Homeland Security on the present motion via an email to Assistant Chief Counsel Jennifer Castro of the Office of the Chief Counsel. On that same date, Ms. Castro indicated that the Department has no opposition to a continuance of this matter to allow time for the Santa Clara County Probate Court to issue a decision regarding Respondent's request for factual findings regarding Special Immigrant Juvenile Status.

I declare under penalty of perjury that the foregoing statement is true to the best of my knowledge, information, and belief.

Dated: November 27, 2013

Respectfully submitted,


Helen Beasley
Declarant

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CALIFORNIA

In the Matter of [REDACTED]

File Number: [REDACTED]

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Respondent's Unopposed Motion for Continuance, 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

Hon. Michael J. Yamaguchi
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 _____

In the Matter of [REDACTED]

File Number: [REDACTED]

PROOF OF SERVICE BY MAIL

I, Helen Beasley, the undersigned, say:

I am over the age of eighteen years and not a party to the within action or proceedings; my business address is Community Legal Services in East Palo Alto, 2117-B University Avenue, East Palo Alto, CA 94303.

On November 27, 2013, I caused to be served the within:

Cover Letter;

Form EOIR-28;

Respondent's Unopposed Motion for Continuance;

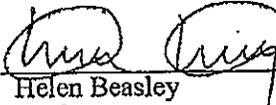
and

Proposed Order

on opposing counsel by USPS first-class mail to the following address(es):

Jennifer Castro
Office of Chief Counsel
Department of Homeland Security
U.S. Immigration and Customs Enforcement
630 Sansome Street, Room 1155
San Francisco, California 94111

Executed on November 27, 2013, at East Palo Alto, California. I declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.



Helen Beasley
Declarant