



COMMUNITY  
LEGAL SERVICES IN  
EAST PALO ALTO

RECEIVED  
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, 4<sup>th</sup> 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) <b>NAME AND ADDRESS OF REPRESENTED PARTY</b>			<b>ALIEN (A) NUMBER (S)</b> (List number(s) of all parties represented in this case.)
[REDACTED] (First)	[REDACTED] (Middle Initial)	[REDACTED] (Last)	[REDACTED]  For disciplinary case, enter docket number.
[REDACTED] (Number and Street)		[REDACTED] (Apt. No.)	
San Jose (City)	CA (State)	95134 (Zip Code)	
<b>NAME OF ATTORNEY OR REPRESENTATIVE, ADDRESS, FAX &amp; PHONE NUMBERS, &amp; E-MAIL ADDRESS</b>			
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	<input type="checkbox"/> Check here if new address	
Please check one of the following:			
<input checked="" type="checkbox"/> 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 Supreme Court of California		<div style="border: 1px solid black; padding: 5px; margin: 0 auto; width: 150px;">RECEIVED DEPARTMENT OF JUSTICE Bar Number (if applicable) 279535 DEC 3 2013 EXECUTIVE OFFICE IMMIGRATION COURT SAN FRANCISCO, CALIFORNIA</div>	
<input type="checkbox"/> I am an accredited representative as defined in 8 C.F.R. § 1292.1(a)(4) with the following recognized organization:			
<input type="checkbox"/> 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).			
<input type="checkbox"/> I am a reputable individual as defined in 8 C.F.R. § 1292.1(a)(3).			
<input type="checkbox"/> I am an accredited foreign government official as defined in 8 C.F.R. § 1292.1(a)(5).			
<input type="checkbox"/> 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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SAN FRANCISCO, CALIFORNIA

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

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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

EXHIBITS IN SUPPORT OF RESPONDENT'S UNOPPOSED MOTION FOR  
CONTINUANCE

<u>Exhibit</u>	<u>Page</u>
A. Declaration of Helen Beasley .....	1

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

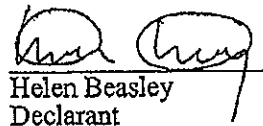
regarding Special Immigrant Juvenile Status to the Santa Clara County Probate Court on Respondent's behalf on October 25, 2013. She further informed me that a hearing on the submission had been scheduled before that court on January 7, 2014.

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

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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