Pat Bono, Esq. NON-DETAINED

*Pro Bono* Counsel for Respondent

Big Heart Law Firm

143 Downtown Dr.

Minneapolis, MN 55123

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**IMMIGRATION COURT**

**NEW YORK, NEW YORK**

 **)**

In the Matter of:  **)**

 **)**

**Cristiano RODRIGUEZ DIAZ** **)** Respondent Motion for

**A123 456 789 )**

 **)** Change for Substitution of Counsel

Respondent **)**

 **)**

**Immigration Judge Unknown Next Hearing: Unknown**

**MOTION FOR SUBSTITUTION OF COUNSEL**

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**IMMIGRATION COURT**

**NEW YORK, NEW YORK**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **)**

**In the Matter of: )**

 **)**

**Cristiano RODRIGUEZ DIAZ ) File No. A 123 456 789**

 **)**

 **)**

**In removal proceedings )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)**

**MOTION FOR SUBSTITUTION OF COUNSEL**

Respondent, by and through *Pro Bono* Counsel Pat Bono Esq., respectfully requests this court grant a motion to substitute Pat Bono as counsel for Respondent, in place of Caridad Catolica, Esq. and allow Pat Bono of Big Heart Law Firm to enter an appearance on Respondent’s behalf as the attorney of record in accordance with 8 C.F.R. § 1292.4(a) (2008).

Caridad Catolica, Esq. initially entered an appearance on behalf of the Respondent before the Immigration Court in New York, New York. Respondent has since moved to Minnesota and Caridad Catolica is now unable to continue representing Respondent. Pat Bono, Esq. is aware of deadlines and responsibilities to the court. Pat Bono has completed an EOIR-28 form which is included with this Motion. Further, the Respondent is agreeable to the change in counsel as evidenced by the Declaration included with this Motion.

Based on the willingness of Pat Bono to represent the Respondent and the Respondent’s agreement of the change of counsel, good cause exists to substitute Pat Bono in as the attorney of record in this matter. Therefore, Pat Bono respectfully requests the court grant this motion so as to be allowed to appear as the attorney of record for the Respondent.

 Respectfully Submitted,

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Pat Bono

 Big Heart Law Firm

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**IMMIGRATION COURT**

**NEW YORK, NEW YORK**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **)**

**In the Matter of: )**

 **)**

**Cristiano RODRIGUEZ DIAZ ) File No. A 123 456 789**

 **)**

 **)**

**In removal proceedings )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)**

**DECLARATION**

I, Cristiano Rodriguez Diaz, agree and give my consent to the substitution of attorneys from Caridad Catolica, Esq. to Pat Bono, Esq.

I, Cristiano Rodriquez Diaz do swear that the above statement is true and correct to the best of my knowledge.

Signed: \_\_\_*Cristiano Rodriguez Diaz*\_\_\_\_\_\_\_\_\_\_ Dated: \_\_\_11/1/2015\_\_\_\_\_\_\_\_

 Cristiano Rodriquez Diaz

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**IMMIGRATION COURT**

**NEW YORK, NEW YORK**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **)**

**In the Matter of: )**

 **)**

**Cristiano RODRIGUEZ DIAZ ) File No. A 123 456 789**

 **)**

 **)**

**In removal proceedings )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)**

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of respondent’s Motion to Substitute Counsel, 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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Cristiano RODRIGUEZ DIAZ

A123 456 789

**CERTIFICATE OF SERVICE**

I, Pat Bono, served a copy of the Motion for Substitution of Counsel on the Office of Chief Counsel, Department of Homeland Security, 26 Federal Plaza, Room 1130, New York, NY 10278 via mail on November 1, 2015.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Pat Bono