Kimberly Boche NON-DETAINED

*Pro Bono* Counsel for Respondent

The Advocates for Human Rights

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EORI ID SS710496

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**IMMIGRATION COURT**

**FORT SNELLING, MINNESOTA**

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

 **)**

**IN THE MATTER OF: )**

**) File No. A xxx-xxx-xxx**

**LAST, First )**

**)**

**IN REMOVAL PROCEEDINGS )**

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

**Immigration Judge Next Hearing: Individual Hearing**

**Honorable Judge John Crews April 20, 2022, at 8:30 am**

MOTION TO ACCEPT UNTIMELY FILING AND ADDITIONAL EVIDENCE

April 19, 2022

U.S. DEPARTMENT OF JUSTICE

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**IMMIGRATION COURT**

**BLOOMINGTON, MINNESOTA**

 ) **Next Hearing: April 20, 2022**

In the Matter of: )

 ) Non-Detained Removal Proceedings

**LAST, First**  ) Immigration Judge Crews

**A xxx-xxx-xxx** ) )

 )

**MOTION TO ACCEPT UNTIMELY FILING**

Respondent, by and through Counsel at The Advocates for Human Rights, respectfully requests this Court to accept the filing of the attached Respondent’s Exhibits.  Respondent is scheduled for an individual hearing on [\_].

Respondent submitted filings on [\_].  The evidence included an asylum brief, an index of Honduras country conditions, and a redlined I-589.

Counsel now provides this motion to accept this filing which includes a mental health evaluation for Respondent. Counsel had attempted to reach Respondent’s therapist on numerous occasions before Respondent’s filing deadline. However Respondent’s therapist did not respond to any inquiries.

On January 28th, Respondent’s therapist was able to reach out and provide an evaluation for Respondent. Counsel received this evaluation on [\_] and is submitting it today, [\_]. Respondent therefore requests the immigration court find that good cause has been established to admit the above-referenced submissions into evidence.

Respectfully Submitted,

Dated: \_\_ \_\_\_\_\_\_\_\_ /s/ Kimberly Boche

Kimberly Boche

*Pro Bono Counsel for Respondent*

EOIR ID SS710496

The Advocates for Human Rights

330 Second Avenue South, Suite 800

Minneapolis, Minnesota 55401

**LAST, First**

**File No. A xxx-xxx-xxx**

**DOCUMENTS IN SUPPORT OF MOTION TO ACCEPT UNTIMELY FILING:**

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A Mental Health Evaluation 1

**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**IMMIGRATION COURT**

**FORT SNELLING, MINNESOTA**

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

**)**

**In the Matter of: )**

**) File No.: A xxx-xxx-xxx**

**LAST, First )**

**)**

**In removal proceedings )**

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

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of respondent’s Motion to Accept Untimely Filing, it is HEREBY ORDERED that the motion be ÿ**GRANTED** ÿ **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 Crews

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

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

**LAST, First**

**A xxx-xxx-xxx**

**PROOF OF SERVICE**

On 4/19/2022, I, Kimberly Boche filed a copy of this Motion to Accept Untimely Filing and any attached pages on ECAS which automatically serves Office of Principal Legal Advisor.

\_\_\_\_/s/ Kimberly Boche \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature) (date)