

Hanne Sandison
Pro Bono Counsel
The Advocates for Human Rights
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NON-DETAINED

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
FORT SNELLING, MINNESOTA**

In the Matter of:

[REDACTED]

In removal proceedings

File No.

[REDACTED]

Immigration Judge Hansen

Next Hearing: None Scheduled

SECOND MOTION TO WITHDRAW AS COUNSEL

1. Respondent is [REDACTED] (A [REDACTED]).
2. Respondent is a native and citizen of [REDACTED] born on [REDACTED].
3. Respondent's last known address is [REDACTED].
4. Counsel now respectfully requests, pursuant to Rule 1.16(b)(1), (5), (6) and (7) of the Minnesota Rules of Professional Conduct, that the Court grant this motion and allow them to withdraw from the above-named case for the following reasons:
 - a. Withdrawal can be accomplished without material adverse effect on the interests of the client;

- b. Respondent has failed to substantially fulfill an obligation to Counsel regarding the services and has been given reasonable warning that Counsel will withdraw unless the obligation is fulfilled;
- c. The representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; and
- d. Other good cause for withdrawal exists.

As evidenced by Counsel's affidavit included at **Exhibit A**, Counsel has made numerous attempts to contact [REDACTED] and [REDACTED]'s known contacts via telephone, e-mail, and mail, but the client is unreachable. Because Counsel is unable to reach [REDACTED] [REDACTED] Counsel has not been able to notify him of his case deadlines or this withdrawal despite numerous attempts to do so.

Counsel is no longer able to provide pro bono assistance to the Respondent. Counsel has also made numerous attempts to contact Respondent in order to discuss ongoing representation but has been unable to reach Respondent. Therefore, counsel now seeks to withdraw from representation due to the Respondent's failure of communication.

Respectfully Submitted,

Dated: February 16, 2022

[REDACTED]
Hanne Sandison
Pro Bono Counsel
The Advocates for Human Rights
330 Second Avenue South, Suite 800
Minneapolis, MN 55401-2447 USA

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
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FORT SNELLING, MINNESOTA**

In the Matter of:

In removal proceedings

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File No.: A

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Motion to Withdraw as 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: _____.

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 _____

Exhibit A

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
FORT SNELLING, MINNESOTA**

In the Matter of

File No. [REDACTED]

Affidavit of Hanne Sandison

Respondent

AFFIDAVIT OF HANNE SANDISON

I, Hanne Sandison, hereby swear under penalty of perjury that the following is true and correct:

1. My name is Hanne Sandison. I am a staff attorney with the Refugee & Immigrant Program at The Advocates for Human Rights (The Advocates), a non-profit human rights organization located in Minnesota, USA. My job responsibilities include representing asylum seekers and other survivors of human rights abuses pro bono in immigration court and in filings before the United States Citizenship and Immigration Services (USCIS). In this capacity, I represent the Respondent in this case, [REDACTED].
2. I represented [REDACTED] while he was detained by Immigration and Customs Enforcement (ICE) in the Freeborn County Jail. Through a pro bono attorney secured through The Advocates, [REDACTED] received a bond and was released from ICE custody in 2019.
3. After he was released from ICE Custody, [REDACTED] informed me that he had moved to [REDACTED]. He also shared his phone number and email address with me. We communicated via phone call, email, and text through WhatsApp for several months, but eventually lost touch in or about July of 2020.
4. After numerous unsuccessful attempts at contacting [REDACTED] and his known contacts for a period of a year and a half through emails to his last known email address, phone calls with voicemails, text messages, WhatsApp calls and messages to his last known phone number and a letter to his last known address [REDACTED], it is my wish to withdraw as my client's counsel for all proceedings as I cannot ethically or adequately represent him given my inability to reach or contact him.
5. In conformance with EOIR Policy Manual, Part II, Chapter 2.3 (i)(ii), I state the following:
 - a. I seek to withdraw as representation for all proceedings
 - b. Pursuant to Rules 1.16(b)(5)-(7), MRPC, I now seek to withdraw as counsel as good cause exists and [REDACTED] has failed substantially to fulfill an

obligation to you regarding your services, namely remaining in contact, and has been given reasonable warning that I will withdraw unless the obligation is fulfilled.

- c. [REDACTED] s last known address is [REDACTED]
[REDACTED]
 - d. Because I am unable to contact [REDACTED] I was unable to notify him of my request to withdraw, of future hearings, or of pending deadlines, though I attempted to do so via email, text, WhatsApp message, phone call, and letter.
 - e. Specifically, on [REDACTED] I informed [REDACTED] by certified mail to his last known address and via email at his last known email address of the cancellation of his December 21, 2021, hearing. I informed him of the scheduling order in the case and that he needed to file for relief with the immigration court by December 28, 2021. I explained that it was vital for him to comply with all deadlines. I also explained that, if he did not comply, his applications for relief could be deemed waived and he could be ordered removed *in absentia*. I received no response.
 - f. On December 7, 2021, I again sent [REDACTED] a letter via certified mail informing him that, if I did not hear from him prior to the December 28, 2021, deadline, I would be unable to continue representing him and The Advocates would close his case. I received no response.
6. As of today's date, I continue to be unsuccessful in my attempts to contact [REDACTED] [REDACTED] will send a copy of this affidavit and any court filings to him at his last known address.

[REDACTED]
Hanne Sandison
The Advocates for Human Rights
330 2nd Ave S., Ste 800
Minneapolis, MN 55401
(612) 746-4667

2/16/2022
Date

[REDACTED]

PROOF OF SERVICE

On February 16, 2022, I, Hanne Sandison, served a copy of this Motion to Withdraw and attached affidavit to Office of Principal Legal Advisor at the following address: 1 Federal Drive, Suite 1800, Fort Snelling, MN 55411 by hand delivery and courtesy email

[REDACTED]

(signature)

2/16/22

(date)

On February 16, 2022, I, Hanne Sandison, served a copy of this Motion to Withdraw and attached affidavit to Respondent, [REDACTED] at his last-known address: [REDACTED] by certified mail.

[REDACTED]

(signature)

2/16/22

(date)