**UNITED STATES COURT OF APPEALS**

**FOR THE EIGHTH CIRCUIT**

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| **John Smith,**  **Petitioner,**  **v.**  **William Barr,**  **U.S. Attorney General,**  **Respondent.** | **Nos. 22-1122, 22-1234**  Immigration File No.  A012-345-678  Petition for Review  from the Decision of the  Board of Immigration Appeals |

**PETITIONER’S UNOPPOSED MOTION TO CONSOLIDATE CASES AND EXTEND TIME TO FILE BRIEF**

Petitioner John Smith, through undersigned counsel, respectfully moves this Court to consolidate his two pending petitions for review from decisions of the Board of Immigration Appeals denying his appeal and denying his motion to reconsider, case numbers 22-1122 and 22-1234, respectively. Petitioner further requests that the deadline to file the opening brief in the lead case, which is currently March 21, 2019, be extended to July 24, 2019, the deadline for the opening brief in the second case. The Certified Administrative Record in the second case is due April 24, 2019. Petitioner’s counsel has contacted Respondent’s counsel, Ashley Martin, who states that Respondent does not oppose this request.

Consolidation is mandated by 8 U.S.C. § 1252(b)(6) (“When a petitioner seeks review of an order under this section, any review sought of a motion to reopen or reconsider the order shall be consolidated with the review of the order.”). Because both petitions relate to the same facts, claims, and legal arguments, consolidation would conserve the resources of both parties and of this Court. The same considerations warrant extension of the briefing deadline in the lead case, if the issue is not already disposed of by consolidation.

Petitioner is not detained. Petitioner currently has an application for adjustment of status pending before U.S. Citizenship and Immigration Services, which, if granted, would moot these petitions for review. Extending the briefing deadline as requested would give the agency time to adjudicate the application.

For these reasons, Petitioner respectfully requests that his two petitions for review be consolidated and the briefing schedule of the lead case be extended to that of the second case.

Dated: March 8, 2019 Respectfully submitted,

s/ John Bruning

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# CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2019, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and will be served by the CM/ECF system.

Dated: March 8, 2019 s/ John Bruning

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**CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rule of Appellate Procedure 32(g), I certify that the foregoing:

1. was prepared using Times New Roman 14-point font; and
2. contains 281 words of text.

Dated: March 8, 2019 s/ John Bruning

John Bruning (MN 0399174)

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