John Bruning Non-Detained

*Pro Bono* Counsel

The Advocates for Human Rights

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**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**IMMIGRATION COURT**

**FORT SNELLING, MINNESOTA**

|  |  |
| --- | --- |
| **In the Matter of:**    **SMITH, John**    **In Removal Proceedings** | File No.: A221-234-567 |

**Next Hearing: December 15, 2022 at 8:30 a.m.**

**Immigration Judge: Joe Brown**

**RESPONDENT’S UNOPPOSED MOTION TO GRANT ASYLUM**

**December 8, 2022**

**RESPONDENT’S UNOPPOSED MOTION TO GRANT ASYLUM**

Respondent, John Smith, through counsel, respectfully moves the Court for an order granting Respondent asylum under the Immigration and Nationality Act.

Respondent entered the United States on July 4, 2014. He submitted an asylum application to the Asylum Office and his case was later referred the immigration court on August 3, 2018. Due to court rescheduling, Respondent has not yet appeared for a master calendar hearing. Respondent reached out to the Department of Homeland Security (“the Department”) to discuss potential stipulation to a grant of asylum. After reviewing the file and supplemental statement from Respondent (*See* Declaration of John Smith, attached at 2), the Department agreed to stipulate to a grant of asylum and indicated that the Department would not oppose a motion to grant asylum in this case. (*See* E-mail from Chief Counsel Stolley, attached at 1).

Pursuant to INA § 101(a)(42)(A)) and based upon Respondent’s asylum application, affidavit, and evidence submitted in support of his application, Respondent requests that the immigration court grant his request for asylum.

DATED: December 8, 2022 Respectfully submitted,

\*\*\* OR \*\*\*

s/ *John Bruning*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Bruning, Supervising Attorney

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**DOCUMENTS IN SUPPORT OF MOTION TO GRANT ASYLUM**

**PAGE**

E-mail from Chief Counsel Stolley confirming non-opposition 1

Declaration of John Smith 2

**United States Department of Justice**

**Executive Office for Immigration Review**

**Immigration Court**

**Fort Snelling, Minnesota**

In the Matter of: John SMITH A #: 221-234-567

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of Respondent’s Unopposed Motion to Grant Asylum 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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**\*\*\* USE IF ECAS CASE \*\*\***

**PROOF OF SERVICE**

On December 12, 2022, I, John Bruning electronically filed the foregoing document through the EOIR Courts & Appeals System (ECAS). In accordance with BIA Practice Manual § 3.2(a)(1), I hereby certify that all parties to these proceedings are using ECAS and service on the Department of Homeland Security was completed through ECAS.

Signed: ­­­­­ s/ *John Bruning*

**\*\*\* USE IF PAPER CASE \*\*\***

**PROOF OF SERVICE**

On December 12, 2022, I, John Bruning, personally served a true and correct copy of the foregoing document on the Office of Chief Counsel at the following address:

1 Federal Drive, Suite 1800

Fort Snelling, MN 55111

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_