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10 Attorney for Respondent

11 **UNITED STATES DEPARTMENT OF JUSTICE**  
12 **EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**  
13 **U.S. IMMIGRATION COURT**  
14 **PHOENIX, ARIZONA**

15 In the matter of: ) Case No.: 012-345-678  
16 )  
17 )  
18 LASTNAME, Firstname ) Hearing: Master Calendar Hearing  
19 ) Hearing Date: May ##/2016  
20 ) Time: 8:30 AM  
21 ) Judge: Hon. Wendell Hollis  
22 Respondent )  
23 )  
24 )  
25 )

26 **UNOPPOSED MOTION**  
27 **TO**  
28 **TERMINATE**

1  
2 COMES NOW Respondent and, through undersigned counsel, respectfully moves  
3 this Honorable Court to terminate the above captioned matter and shows as  
4 follows:

- 5 1. On ##/09/2012 the Department of Homeland Security, by and through the  
6 Department's Assistant Chief Counsel Mr. Ryan Matsuno, Esq., indicated to  
7 the undersigned counsel in writing via an electronic mail that the  
8 Department does **not oppose** to terminate this matter.  
9
- 10 2. Only the Immigration Judge may terminate removal proceedings upon  
11 request by either party. *See Matter of G-N-C*, 22 I&N Dec. 281 (BIA 1988).  
12
- 13 3. The facts in this matter are as follows: Respondent is a citizen of France,  
14 entered with inspection on an investor visa, is married to a U.S. citizen, has  
15 an approved I-130 immigrant visa petition (MSC-12-123-12345) from his  
16 USC wife, has filed the form I-485 for an adjustment of status through his  
17 former counsel (MSC-12-123-12346). *See Attch. A*. Respondent did not  
18 receive a proper service of the Notice to Appear. The Respondent's address  
19 currently and at time these proceedings commenced is 123 Some St., Apt.  
20 12345, San Francisco, CA 94108.  
21
- 22 4. Respondent contributes to his community in the United States as a voluntary  
23 blood donor (Attch. B), charity sponsor (Attch. C), and a volunteer at a high  
24 school (Attch. D). Respondent has no criminal history and no immigration  
25 violations other than overstay of his investor visa.

1  
2 5. If this Honorable Court terminates these removal proceedings, Respondent  
3 will seek adjudication of his I-485 through USCIS. The USCIS noted in the  
4 letter dated 7/3/2012 as follows, *“If removal proceedings are terminated*  
5 *please notify the Field Office Director to schedule another adjustment of*  
6 *status interview.” See Attch. E.*

7  
8 6. Termination of these removal proceedings would serve the interest of  
9 judicial economy and prevent avoidable expenditure of this Court’s time,  
10 especially as the Department does **not oppose** and the adjustment of status  
11 application may be adjudicated by the USCIS without demanding time of  
12 this Honorable Court.

13  
14 7. This motion is accompanied by the documents in support (Attachments A –  
15 E) and the proposed Court order in triplicate.

16  
17  
18 WHEREFORE, the removal proceedings should be terminated.

19  
20  
21 Respectfully submitted to the Phoenix Immigration Court by the certified USPS  
22 mail this 14<sup>th</sup> day of November, 2012.

23 By: \_\_\_\_\_  
24 Marina Alexandrovich, Esq.  
25 Attorney For Respondent

1  
2 Certificate of Service

3  
4 I hereby certify that a true copy of the foregoing

5 **UNOPPOSED MOTION TO**  
6 **TERMINATE**

7  
8 with attachments was served by the USPS by placing a designated USPS mail box  
9 with postage prepaid on:

10  
11 Office of the Chief Counsel  
12 U.S. Immigration and Customs Enforcement  
13 2035 N. Central Ave., 2<sup>nd</sup> floor  
14 Phoenix, AZ 85004

15 This 14<sup>th</sup> day of November, 2012

16 By: \_\_\_\_\_

17 Marina Alexandrovich, Esq.  
18 Attorney For Respondent  
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**UNITED STATES DEPARTMENT OF JUSTICE**  
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**  
**U.S. IMMIGRATION COURT**  
**200 E. MITCHELL DRIVE, SUITE 200**  
**PHOENIX, AZ 85004**

In the matter of:

LASTNAME, Firstname

In **REMOVAL** Proceedings

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)  
)  
) Case No.: A #012-345-678  
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**ORDER OF THE IMMIGRATION JUDGE**

13  
14

Upon consideration of the following motion

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**UNOPPOSED MOTION TO  
TERMINATE**

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It is **HEREBY ORDERED** that the said motion be **GRANTED / DENIED**

19  
20

Dated:

21  
22

By: \_\_\_\_\_

U.S. IMMIGRATION JUDGE

23  
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To  Alien  Alien c/o Custodial Officer  Alien's Atty/Rep

LASTNAME, Firstname      Unopposed Motion To Terminate      012-345-678

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**UNITED STATES DEPARTMENT OF JUSTICE**  
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**  
**U.S. IMMIGRATION COURT**  
**200 E. MITCHELL DRIVE, SUITE 200**  
**PHOENIX, AZ 85004**

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In the matter of:

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LASTNAME, Firstname

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In **REMOVAL** Proceedings

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Dated:

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By: \_\_\_\_\_

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U.S. IMMIGRATION JUDGE

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Certificate of Service

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