

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
(City, State)

Date:

Master Calendar Order Regarding the Requirement of Filing Completed Relief Applications on a Timely Basis

1. The attention of the respondent is called to the provision of the REAL ID Act of 2005. This amendment to the Immigration and Nationality Act requires the filing of a completed relief application.
 - a. A “completed relief application” means one wherein all the information required by the application form is supplied.
 - b. In addition, a completed relief application must be supported by those items called for in the application form instructions and by relevant federal regulations.
 - i. For example, all section 245 applications for adjustment of status must be supported by an affidavit of support, the Form I-485 Supplement A for section 245(i) applications, and a physical examination report.

ii. All applications for relief, excluding voluntary departure, must be supported by the respondent having his or her fingerprints taken at a Government fingerprint office. See paragraph three below.

c. Those relief applications that are incomplete are subject to denial on the ground of insufficient filing.

2. Specific problem areas include adjustment of status applications and cancellation of removal applications.

a. The adjustment application mandates that, when the applicant answers “yes” to the question dealing with arrests of convictions, the applicant must attach a separate sheet of paper to the application, explaining specific circumstances.

b. Cancellation of removal applications require:

i. A listing of all residences in the United States for the past ten years;

ii. All absences from the United States;

iii. All employment since arrival in the United States;

iv. All convictions and all arrests by law enforcement officers; and

v. All relatives including grandparents, parents, present spouse, former spouse(s), children, brothers and sisters, aunts, and uncles.

3. Fingerprints from the respondent are required as a component part of all relief applications except voluntary departure.

a. "Relief applications" refer to affirmative remedies against removal and deportation and not to motions to terminate.

b. Fingerprints are taken at Government fingerprint offices, and the respondent is to report to such office upon notice received by mail.

c. So-called "rap sheets" from the California Department of Justice are not valid evidence of compliance with the fingerprint requirement.

d. The respondent will be given written instructions for fingerprinting at the Master Calendar hearing. These instructions will guide the respondent in sending off to the Government registration center for a fingerprint appointment and the center will issue a receipt. This receipt must be filed with the Immigration Court by the deadline set at the Master Calendar.

e. Any relief application subject to the fingerprint requirement may be denied if the respondent fails to register for a fingerprint appointment or fails to keep an appointment for fingerprinting.

4. The filing deadline set by the Immigration Court is enforced by the Court, and must be observed by the attorneys. If the relief application is not filed on the date promised, and no word reaches the Court by that date explaining the failure to file, the court will take action the following day. A written decision will be published, denying the relief application as abandoned. The Individual Calendar trial time may also be shortened or the Individual Calendar hearing cancelled and the respondent ordered to depart the United States under an order of voluntary departure or removal and deportation, as the posture of the case warrants.

The Order was served upon the respondent and the attorneys in open court on the above date.

(Name)

Immigration Judge