

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to one of the offices listed in 8 CFR 241.16(a). Specific addresses on locations for surrender can be obtained from your local DHS office or over the internet at http://www.ice.gov/about/dro/contact.htm. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Act.

Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

Before:

(Signature of Respondent)

Date:

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on March 11, 2009, in the following manner and in compliance with section 239(a)(1)(F) of the Act.

- in person (checked), by certified mail, returned receipt requested, by regular mail, Attached is a credible fear worksheet, Attached is a list of organization and attorneys which provide free legal services.

SPANISH

The alien was provided oral notice in the language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

A. REESE

287 (G) OFFICER

(Signature of Respondent if Personally Served)

(Signature and Title of officer)

Name: Maria Del Carmen GARCIA-MARTINEZ

NOTICE OF RIGHTS

You have been arrested because immigration officers believe that you are illegally in the United States. You have the right to a hearing before the Immigration Court to determine whether you may remain in the United States. If you request a hearing, you may be detained in custody or you may be eligible to be released on bond, until your hearing date. In the alternative, you may request to return to your country as soon as possible, without a hearing.

You have the right to contact an attorney or other legal representative to represent you at your hearings, or to answer any questions regarding your legal rights in the United States. Upon your request, the officer who gave you this notice will provide you with a list of legal organizations that may represent you for free or for a small fee. You have the right to communicate with the consular or diplomatic officer from your country. You may use a telephone to call a lawyer, other legal representative, or consular officer at any time prior to your departure from the United States.

REQUEST FOR DISPOSITION

I request a hearing before the Immigration Court to determine whether or not I may remain in the United States.

I believe I face harm if I return to my country. My case will be referred to the Immigration Court for a hearing.

I admit that I am in the United States illegally, and I believe that I do not face harm if I return to my country. I give up my right to a hearing before the Immigration Court. I wish to return to my country as soon as arrangements can be made to effect my departure. I understand that I may be held in detention until my departure.

[Signature]
Signature of Subject

3/11/09
Date

CERTIFICATION OF SERVICE

Notice read by subject.

Notice read to subject by _____, in the _____ language.

A. REESE
Name of Officer (Print)

Name of Interpreter (Print)

Signature of Officer

March 11, 2009 9:42 PM
Date and Time of Service

Maria Del Carmen GARCIA-MARTINEZ

Date: 03/11/2009

US ICE/DHS CUSTODY

Pursuant to the authority contained in section 236 of the Immigration and Nationality Act and part 236 of title 8, Code of Federal Regulations, I have determined that pending a final determination by the immigration judge in your case, and in the event you are ordered removed from the United States, until you are taken into custody for removal, you shall be:

- detained in the custody of the Department of Homeland Security.
- released under bond in the amount of \$ _____
- released on your own recognizance.

- You may request a review of this determination by an immigration judge.
- You may not request a review of this determination by an immigration judge because the Immigration and Nationality Act prohibits your release from custody.

 (Signature of authorized officer)

 (Title of authorized officer)

PHOENIX, ARIZONA
 (Office location)

- I do do not request a redetermination of this custody decision by an immigration judge.
- I acknowledge receipt of this notification.

 (Signature of respondent)

 (Date)

RESULT OF CUSTODY REDETERMINATION

On _____, custody status/conditions for release were reconsidered by:

- Immigration Judge DHS Official Board of Immigration Appeals

The results of the redetermination/reconsideration are:

- No change - Original determination upheld.
- Release - Order of Recognizance
- Detain in custody of this Service.
- Release - Personal Recognizance
- Bond amount reset to _____
- Other: _____

 (Signature of officer)

LIST OF FREE LEGAL SERVICES PROVIDERS

The following organizations and attorneys provide free legal services and/or referrals for such services to indigent individuals in immigration removal proceedings, pursuant to 8 CFR §1003.61. Some of these organizations may also charge a nominal fee for legal services to certain low income individuals.

<p>ELOY, ARIZONA ROBERT E. COUGHLON, JR., ESQ. Attorney at Law 2001 N. 3rd Street, Ste. 200 Phoenix, Arizona 85004 (602) 636-0800/ (602) 636-0153, Fax</p> <p>FLORENCE IMMIGRANT AND REFUGEE RIGHTS PROJECT P.O. Box 654 2601 North Highway 79 Florence, Arizona 85232 (520) 868-0191 >Will represent aliens in asylum hearings. >May only represent DHS detainees-not BOP inmates.</p> <p>ANTHONY PELINO, ESQ. Immigration Law Attorney P.O. Box 1909 Florence, Arizona 85232 (520) 868-0123/ (520) 868-1245, Fax >Will represent aliens in asylum hearings.</p> <p>JOSE LUIS PENALOSA, JR., ESQ. 1001 East Jefferson Street, Ste. 2 Phoenix, Arizona 85034 (602) 254-0877/ (602) 253-4061, Fax PenalosaLaw.com >Will represent aliens in asylum hearings.</p>	<p>JAMES F. METCALF, ESQ. Metcalf & Metcalf, PC 51 West 2nd Street Yuma, Arizona 85364 (928) 782-2558/ (928) 329-9015, Fax</p> <p>MICHAEL FRANQUINHA, ESQ. Attorney at Law 200 E. Mitchell, Ste. 306 Phoenix, Arizona 85012 (602) 294-0200, 294-0201, 294-0203 (602) 294-0204, Fax >Will represent aliens in asylum hearings.</p> <p>CHRISTOPHER STENDER, ESQ. Stender and Pope, P.C. 333 East Virginia Avenue, Ste. 216 Phoenix, Arizona 85004 (602) 257-1010/ (602) 952-9790, Fax >Will represent aliens in asylum hearings.</p> <p>HUGO LARIOS, ESQ. Law office of Hugo F. Larios 3200 S. Rural Rd, Ste. 4 Tempe, Arizona 85282 (480) 921-7707/ (480) 921-7377, Fax</p>	<p>NORMA IZZO MILNER, ESQ. Law office of Shannon S. Brandley 3030 S. Rural Road, Ste. 101 Tempe, Arizona 85282 (480) 967-7311/ (480) 967-0511, Fax</p> <p>RICHARD LA PAGLIA, ESQ. Law Offices of Richard La Paglia 515 N. Main Street Eloy, Arizona 85231 (520) 466-3512/ (520) 466-2697, Fax >Will represent aliens in asylum hearings.</p> <p>JOHN POPE, ESQ. Stender and Pope, P.C. 333 East Virginia Avenue, Ste. 216 Phoenix, Arizona 85004 (602) 257-1010/ (602) 952-9790, Fax >Will represent aliens in asylum hearings.</p>	<p>ROBERT E. COUGHLON, JR., ESQ. Attorney at Law 2001 N. 3rd Street, Ste. 200 Phoenix, Arizona (602) 636-0800/ (602) 636-0153, fax</p> <p>PATRICIA G. MEJIA CERVANTES, ESQ. Attorney at Law 102 East 31st Street Tucson, Arizona 85713-3555 (520) 623-0607/ (520) 623-5130, Fax >Will represent aliens in asylum hearings.</p> <p>ISRAEL S. HERNANDEZ, ESQ. Law Offices of Israel S. Hernandez, P.L.L.C. 111 W. Florence Blvd., Ste. 4 Casa Grande, Arizona 85222 (888) 50-ABOGADO (toll free) (520) 836-4626/ (520) 836-2687, Fax >Will represent aliens in asylum hearings.</p>
<p>PHOENIX, ARIZONA JOSE LUIS PENALOSA, JR., ESQ. 1001 East Jefferson Street, Ste. 2 Phoenix, Arizona 85034 (602) 254-0877/ (602) 253-4061, Fax PenalosaLaw.com</p> <p>NICOMEDES E. SURIEL, ESQ. Law Offices of Nicomedes E. Suriel, L.L.C. 200 E. Mitchell Drive, Ste. 201 Phoenix, Arizona 85012 (602) 2997-2005 >Will represent aliens in proceedings. >Will represent aliens seeking asylum.</p> <p>CHICANOS POR LA CAUSA 312 Main Street P.O. Box 517 Somerton, Arizona 85350 (928) 627-2042 • Charges nominal fee.</p>	<p>JAMES F. METCALF, ESQ. Metcalf & Metcalf, PC 51 West 2nd Street Yuma, Arizona 85364 (928) 782-2558/ (928) 329-9015, Fax</p> <p>CHRISTOPHER STENDER, ESQ. Stender and Pope, P.C. 333 East Virginia Avenue, Ste. 216 Phoenix, Arizona 85004 (602) 257-1010/ (602) 952-9790, Fax >Will represent aliens in asylum hearings.</p> <p>CATHOLIC SOCIAL SERVICES OF PHOENIX 1825 W. Northern Street Phoenix, Arizona 85034 (602) 997-6105 • Charges nominal fee.</p>	<p>HUGO LARIOS, ESQ. Law office of Hugo F. Larios 3200 S. Rural Rd, Ste. 4 Tempe, Arizona 85282 (480) 921-7707/ (480) 921-7377, Fax</p> <p>ANTHONY PELINO, ESQ. Immigration Law Attorney P.O. Box 1909 Florence, Arizona 85232 (520) 868-0123/ (520) 868-1245, Fax >Willing to represent aliens in asylum proceedings.</p> <p>FRIENDLY HOUSE 802 1st Avenue P.O. Box 3695 Phoenix, Arizona 85030 (602) 257-1870/ (602) 257-8278, Fax • Charges nominal fee.</p>	<p>NORMA IZZO MILNER, ESQ. Law office of Shannon S. Brandley 3030 S. Rural Road, Ste. 101 Tempe, Arizona 85282 (480) 967-7311</p> <p>JOHN POPE, ESQ. Stender and Pope, P.C. 333 East Virginia Avenue, Ste. 216 Phoenix, Arizona 85004 (602) 257-1010/ (602) 952-9790, Fax >Will represent aliens in asylum hearings.</p>
<p>FLORENCE, ARIZONA FLORENCE IMMIGRANT AND REFUGEE RIGHTS PROJECT 2601 North Highway 79 P.O. Box 654 Florence, Arizona 85232 (520) 868-0191/ (520) 868-0192, Fax</p> <p>JOHN POPE, ESQ. Stender and Pope, P.C. 333 East Virginia Avenue, Ste. 216 Phoenix, Arizona 85004 (602) 257-1010/ (602) 952-9790, Fax >Will represent aliens in asylum hearings.</p>	<p>ANTHONY PELINO, ESQ. Immigration Law Attorney P.O. Box 1909 Florence, Arizona 85232 (520) 868-0123/ (520) 868-1245, Fax >Will represent aliens in asylum hearings.</p> <p>JAMES F. METCALF, ESQ. Metcalf & Metcalf, PC 51 West 2nd Street Yuma, Arizona 85364 (928) 782-2558/ (928) 329-9015, Fax</p>	<p>CHRISTOPHER STENDER, ESQ. Stender and Pope, P.C. 333 East Virginia Avenue, Ste. 216 Phoenix, Arizona 85004 (602) 257-1010/ (602) 952-9790, Fax >Will represent aliens in asylum hearings.</p> <p>HUGO LARIOS, ESQ. Law office of Hugo F. Larios 3200 S. Rural Rd, Ste. 4 Tempe, Arizona 85282 (480) 921-7707/ (480) 921-7377, Fax</p>	<p>ISRAEL S. HERNANDEZ, ESQ. Law Offices of Israel S. Hernandez, P.L.L.C. 111 W. Florence Blvd., Ste. 4 Casa Grande, Arizona 85222 (888) 50-ABOGADO (toll free) (520) 836-4626/ (520) 836-2687, Fax</p> <p>JOSE LUIS PENALOSA, JR., ESQ. 1001 East Jefferson Street, Ste. 2 Phoenix, Arizona 85034 (602) 254-0877/ (602) 253-4061, Fax PenalosaLaw.com</p>
<p>TUCSON, ARIZONA VIKRAM BADRINATH, ESQ. 100 North Stone Ave., Ste. 302 Tucson, Arizona 85701-1514 (520) 620-6000/ (520) 620-6797, Fax</p>	<p>JOHN POPE, ESQ. Stender and Pope, P.C. 333 East Virginia Avenue, Ste. 216 Phoenix, Arizona 85004 (602) 257-1010/ (602) 952-9790, Fax >Will represent aliens in asylum hearings.</p>	<p>PATRICIA G. MEJIA CERVANTES, ESQ. Attorney at Law 102 East 31st Street Tucson, Arizona 85713-3555 (520) 623-0607/ (520) 623-5130, Fax</p>	