**SAMPLE MOTIONS IN REMOVAL PROCEEDINGS – BOND MOTION**

**Sometimes, an immigrant cannot find or cannot afford an attorney to represent them in removal proceedings. These materials will help those aliens without attorneys buy more time to look for a lawyer and apply for benefits. As a disclaimer, these samples apply generally. A lawyer SHOULD review the final version of these documents before filing with the immigration court. Please read your motion carefully!**

**Sometimes, a person is in immigration detention under an order of mandatory custody (no bond), or the Immigration Court is just moving slowly to schedule a hearing. This motion is for requesting a hearing at which the Immigration Judge will determine bond. At a bond hearing, the immigrant will submit evidence and testimony to convince the Immigration Judge that he or she deserves bond. After submission of this motion, the Immigration Court should schedule a hearing almost immediately. After filing with the court, make sure to send the appropriate ICE office a copy. Use wisely!**

Johnny Smith

Pro Se

123 Main Street

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**UNITED STATES DEPARTMENT OF JUSTICE**

**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

**ANYWHERE IMMIGRATION COURT**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Matter of: )**

**)**

**Smith, Johnny )**

**DETAINED ) File No. 123456789**

**)**

**In Removal Proceedings )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)**

Immigration Judge: Johnson Master hearing date: December 30, 2027 at 1PM

**RESPONDENT’S REQUEST FOR BOND REDETERMINATION HEARING**

Johnny Smith

Pro Se

123 Main Street

Anywhere, NY 01987

P: (555) 554-1212

E: johnnysmith@whatmail.com

**UNITED STATES DEPARTMENT OF JUSTICE**

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Immigration Judge: Johnson Master hearing date: December 30, 2027 at 1PM

**RESPONDENT’S REQUEST FOR BOND REDETERMINATION HEARING**

COMES NOW, Johnny Smith (“Respondent”), Pro Se, and requests a redetermination of his bond by the Immigration Judge under 8 C.F.R. § 1003.19. Respondent is currently detained at the Jerome Combs Detention Facility in Kankakee, Illinois and has not yet been assigned a bond.

1. **Eligibility:**

I am not subject to mandatory detention under INA § 236(c). I have criminal arrests, but no criminal cases pending. I have also committed the immigration violations of unlawful presence and unlawful employment. My United States citizen child, Jimmy Smith, makes me eligible for immigration relief under EOIR-42B, Cancellation of Removal for Certain Nonpermanent Residents.

1. **Exercise of Discretion:**

I arrived in the United States from Mexico without inspection in 2002. I have not committed any aggravated felonies or crimes involving moral turpitude. My arrests are for traffic violations, including several for driving without a license. I am a person of good moral character, as well. Because of my family connections to the United States, I plan to apply for EOIR 42-B Cancellation of Removal for Certain Nonpermanent Residents. Because of my fear to return to Mexico, I plan to ask the Immigration Judge for asylum and withholding of removal. Alternatively, I will request voluntary departure.

WHEREFORE, I request a bond hearing so that I may have an opportunity to proffer the Immigration Judge evidence showing that my release would not pose a danger to property or persons, I am likely to appear at future immigration court hearings, and I do not pose a danger to national security.

By:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Johnny Smith

Respondent

**PROOF OF SERVICE**

**Name of alien or aliens: Johnny Smith**

**A Number: 123456789**

**On date: December 18, 2018**

**I, Johnny Smith, served a copy of this document:**

**Respondent’s Request for Bond Redetermination Hearing**

**and any attached pages to:**

**<<ICE OFFICE WITH JURISDICTION OVER YOUR CASE>>**

**By: First class mail**

**Signed,**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Johnny Smith**