



## Detail

**Complaint Number:** 148

**Immigration Judge:** **Cassidy, William A.**

**Complaint Date:** 04/28/10

**Current ACIJ**  
Smith, Gary W.

**Base City**  
(b)

**Status**  
CLOSED

**Final Action**  
Complaint dismissed because it cannot be substantiated

**Final Action Date**  
05/04/10

A-Number(s)	Complaint Nature(s)	Complaint Source(s)
(b) (6)	In-court conduct	Respondent (b) (6)

**Complaint Narrative:** In Matter of (b) (6), R alleges the judge treated him unfairly during his hearing, making jokes about R's situation.

Complaint History	
03/16/10	Alleged conduct occurred
04/30/10	Complaint referred to ACIJ
04/30/10	Database entry created
05/04/10	ACIJ contacts respondent with his finding of no misconduct.
05/04/10	Complaint dismissed because it cannot be substantiated - ACIJ listened to the hearing and found no levity or joking.

April 13, 2010

Office of the Chief Immigration Judge  
David L. Neal (C.I.J.)  
Brooke Grandle (C.C.I.J.)  
5107 Leesburg Pike  
Suit 2500  
Falls Church, VA 22041

2010 APR 28 AM 10:24  
O.C.I.J.

2010 APR 28 AM 10:24

Dear Hon. David L. Neal,

This letter is in regard to the action of one Judge William Cassidy, on March 16<sup>th</sup> 2010, at the (b) (6) Immigration Court in (b) (6) at the Correctional Corporation of America contracted detention center. During my Notice to Appear Master hearing, Judge William Cassidy asks if I was married to ascertain if I have any grounds for a waiver to my deportation. I responded by telling the Judge that since being detained by Immigration and then going to prison, I had since not communicated with my wife, and that I do not think she knows what has happened to me since getting a letter from her. The Judge William Cassidy then responded by saying that "this is a first I don't think I have heard this before, I have heard many things but I have never heard of someone miss placing his wife." After hearing this I was mind boggled, and numb. Not once did I tell or spoke of to judge William Cassidy, or to any one to that matter in any way that I have miss placed my wife, but to here the Judge of all person saying something like this in court in my presence I just could not believe. And to hear the way he spoke it, it was as if (b) (6) was making a joke in the court of the situation I find myself in. this being the longest I have been away from my wife and children is remark really hit home, and it really did hurt me to hear him say such things. It's made me feel, I have lost my entire family, and have no hope of getting back to them. Being in this position, of the Government trying to deported me from the country made it much worst. I cannot say what it is I am asking of you to do on my behalf, but I do believe there should be someone who will speak of this Judge conduct in his court room. I do not think anyone no matter the circumstance are the out come who appears in any court in this great country should be subjected reticules, and jokes on behalf of the Governments representative. If he is allowed to act and carry on in his court, doing as he pleases, who will hold him accountable for his action towards Immigrant, Non Immigrant, and Legal Permanent Resident?

Sincerely,

(b) (6)

Detainee

(b) (6)

ROUTING AND TRANSMITTAL SLIP		DATE 4/30/10																					
TO: Name, Office Symbol, Room Number, Building, Agency/Post		Initials	Date																				
1. ACIJ Smith		<i>JS</i>	5-3-10																				
2. Mary Beth Keller, ACIS																							
3.																							
4.																							
5.																							
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REMARKS																							
<p>Sir,</p> <p>The attached complaint concerning IJ Cassidy, is being forwarded to you on behalf of ACIJ Keller. Judge Keller has noted that the comments are at the 12:30 mark on DAR and also he ends the hearing with "God Bless".</p> <p>Thank you</p> <p>Deborah</p> <p><i>I've listened to this hearing twice and found no levity or joking. The hearing was done by VTC from (b) (6). There is a follow-on hearing set for 5-24-10. He gave the R additional time to file any applications and to locate an atty. My proposed response is attached.</i></p>																							
FROM: Name, Org. Symbol, Agency/Post		Room No. -- Bldg.																					
Deborah Mourinho Staff Assistant Office of the Chief Immigration Judge		Phone No.																					

May 4, 2010

(b) (6)

Reference: Matter of (b) (6) A (b) (6)

Dear (b) (6)

Your letter of April 13, 2010, was received in the Office of the Chief Immigration Judge on April 28, 2010, and was referred to me as the Assistant Chief Immigration Judge supervising the (b) (6) Immigration Court. In your letter, you complain of the Immigration Judge's conduct during the proceedings before the Immigration Court. I have reviewed the information in our database concerning your case and listened to the hearing recording, the hearing having been conducted by video-conference from the (b) (6) Immigration Court. At this point, proceedings in your case are ongoing, and there is another hearing date set in your case for May 24, 2010. My review of the proceedings to date reflects that they are being conducted fairly and that there was no levity or joking during the proceedings. As your case is continuing, it would be inappropriate for me to intercede in that process. Should you believe that there was error in your proceedings, you may then appeal to the Board of Immigration Appeals within thirty days of the Immigration Judge's decision, and the Immigration Judge will advise you of your appellate rights.

Thank you again for your letter, and I hope this response is of assistance to you.

Sincerely,

Gary W. Smith  
Assistant Chief Immigration Judge

cc: Court Administrator, (b) (6) Immigration Court