

and the use of prosecutorial discretion where appropriate. An authority that they may chose to exercise but I have no authority to demand.

I question seriously why this matter was treated in this way. However, unfortunately, it is consistent with the antagonistic attitude I am seeing with the DHS attorneys

In (b) (6) Funny, I made an informal comment to (b) (6) about my concerns a day or two before this matter.

I have given the case to (b) (6) to be reassigned. I thank you for your wise advice and best practices suggestions.

I will put them into practice.

Bill

From: Smith, Gary (EOIR)
Sent: Wednesday, October 20, 2010 7:35 AM
To: Cassidy, William A. (EOIR)
Subject:

Bill: please review this:

I am duty att'y today. I went to the EOIR window to make a filing. Judge Cassidy saw me and asked who the duty attorney was. I told him that I was a duty att'y, and he asked me to come to his courtroom. When I got there, he handed me the ROP and the Respondent's motion for an expedited hearing on her LPR COR application. Her mother is suffering from dementia in Germany, and she wants her case adjudicated as soon as possible. I told him that I could not stipulate to anything at this time. I told him that we would not oppose an earlier hearing date, but that we would need an opportunity to get the file and prepare for the case. He told me that he wanted me or someone in the office to contact the Respondent's attorney and have a pretrial discussion to see if we could agree on a grant. I asked him to set it for a hearing at a date convenient to the Court, but he would not do so, instead instructing me to reach an agreement with the attorney. The A number is A (b) (6) I am not sure what I should do in this case. I think we should have an opportunity to cross examine the witness.