

Ryan Matsuno  
Chief Counsel  
Cori White  
Deputy Chief Counsel

\_\_\_\_\_  
Counsel for Respondent

Assistant Chief Counsel  
U.S. Immigration and Customs Enforcement  
U.S. Department of Homeland Security  
Office of the Principal Legal Advisor  
5701 Executive Center Drive, Suite 300  
Charlotte, NC 28212

Tel. \_\_\_\_\_  
Fax \_\_\_\_\_  
Email: \_\_\_\_\_

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
ATLANTA, GEORGIA**

\_\_\_\_\_  
In the matter of: )  
 )  
\_\_\_\_\_, \_\_\_\_\_ )  
 )  
Respondent. )  
\_\_\_\_\_ )

A# \_\_\_\_\_

**IN REMOVAL PROCEEDINGS**

Hon. IJ: \_\_\_\_\_

Next Master Hearing: \_\_\_\_\_, \_\_\_\_\_ at \_\_:\_\_ a.m./p.m.

**JOINT MOTION TO DISMISS PROCEEDINGS WITHOUT PREJUDICE**

**JOINT MOTION TO DISMISS PROCEEDINGS WITHOUT PREJUDICE**

The U.S. Department of Homeland Security (Department) and the respondent, by and through their respective undersigned counsel, jointly move the Immigration Judge to dismiss the respondent's removal proceedings without prejudice.

After the commencement of removal proceedings, the Department may move for dismissal of the case on the grounds set out under 8 C.F.R. § 239.2(a). 8 C.F.R. § 1239.2(c). Dismissal of proceedings under 8 C.F.R. § 1239.2(c) is without prejudice to the respondent and the Department. *Id.* The Department has determined that the circumstances of the case have changed after the notice to appear was issued to such an extent that continuation is no longer in the best interest of the government. See 8 C.F.R. § 239.2(a)(7). Therefore, pursuant to its exclusive authority under the regulations, the Department moves to dismiss the respondent's removal proceedings. The respondent joins in the motion.

WHEREFORE, the Department and the respondent jointly move the Immigration Judge to dismiss the respondent's removal proceedings.

FOR THE DEPARTMENT OF  
HOMELAND SECURITY

\_\_\_\_\_  
\_\_\_\_\_  
Assistant Chief Counsel  
U.S. Immigration and Customs Enforcement  
U.S. Department of Homeland Security  
Office of the Principal Legal Advisor

FOR THE RESPONDENT

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
EOIR # \_\_\_\_\_ Bar# \_\_\_\_\_

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
UNITED STATES IMMIGRATION COURT  
ATLANTA, GEORGIA**

In the Matter of: \_\_\_\_\_, \_\_\_\_\_, A# \_\_\_\_\_

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of the parties' Joint Motion to Dismiss Proceedings without Prejudice, it is HEREBY ORDERED that the motion be:

[ ] **GRANTED** [ ] **DENIED** because:

- Good cause has been established for this motion. These proceedings are hereby terminated without prejudice pursuant to 8 C.F.R. § 1239.2(c). This termination order does not constitute a final judgment rendered on the merits of these proceedings.
- DHS does not oppose the motion.
- The respondent does not oppose the motion.
- A response to the motion has not been filed with the court.
- The court agrees with the reasons stated in the opposition to the motion.
- The motion is untimely per \_\_\_\_\_.
- Other:

Deadlines:

- The application(s) for relief must be filed by \_\_\_\_\_.
- The respondent must comply with DHS biometrics instructions by \_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hon. \_\_\_\_\_  
Immigration Judge

Certificate of Service

This document was served by: [ ] Mail [ ] Personal Service

To: [ ] Alien [ ] Alien c/o Custodial Officer [ ] Alien's Atty/Rep [ ] DHS

Date: \_\_\_\_\_ By: Court Staff \_\_\_\_\_

CERTIFICATE OF SERVICE

On \_\_\_\_\_, the undersigned mailed or delivered a copy of this U.S. Department of Homeland Security and the Respondent's Joint Motion to Dismiss addressed as follows:

through normal government processes to be mailed by first-class mail to the person at the address set forth above.

by personal delivering a true copy thereof to the person set forth above.

by electronic service, in accordance with applicable office procedure and DHS policies, to the addressee set forth above, by eservice or at the following e-mail address:

by UPS Courier Service to the person at the address set forth above.

by telefaxing with acknowledgment of receipt to the person at the address set forth above.

Assistant Chief Counsel

Date