

Attorney Sonia Parras Konrad
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2925 Ingersoll Avenue, Suite 7
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NOT DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
1717 AVENUE H, SUITE 100
OMAHA, NE 68110

In the Matter of: XXXXXXXXXXXXXX In removal proceedings	File No. XXXXXXXXX
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Immigration Judge: Anderson

Next Hearing: Master Calendar Hearing
December 1, 2016 at 9:00 AM

**MOTION TO RECONSIDER DENIAL OF MOTION TO ADMINISTRATIVELY
CLOSE PROCEEDINGS AND
MOTION TO CONTINUE MASTER CALENDAR HEARING
(IN THE ALTERNATIVE)**

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In the Matter of: XXXXXXXXXXXX In removal proceedings	File No. XXXXXXXXXXXX
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Immigration Judge: Anderson

Next Hearing: Master Calendar Hearing
December 1, 2016 at 9:00 AM

**MOTION TO RECONSIDER DENIAL OF MOTION TO ADMINISTRATIVELY
CLOSE PROCEEDINGS AND
MOTION TO CONTINUE MASTER CALENDAR HEARING
(IN THE ALTERNATIVE)**

COMES NOW Respondent, by and through his attorney Sonia Parras Konrad, and hereby states:

1. Respondent has been charged as being a removable alien.
2. Respondent has a Master Calendar Hearing scheduled for December 1, 2016 at 9:00 AM
3. Respondent is respectfully requesting the court to continue the Master Calendar Hearing in this matter.
4. Respondent is a minor who has a pending U-Visa derivative application before the United States Citizenship and Immigration Service (USCIS).

5. On November 11, 2014 Respondent's derivative U visa application was received by USCIS. USCIS is currently processing applications from June 2014.
6. On October 12, 2016 Respondent requested the court to administratively close his case. DHS opposed this motion based on the fact that the application was speculative and there was no evidence of a qualifying relationship. Respondent then submitted the complete principal application of his mother and his own derivative application, along with his birth certificate.
7. This Court denied Respondent's request to administratively close the case. Respondent is requesting this Court to reconsider the motion to administratively close the case based on the pending U visa and judicial economy. In the alternative, Respondent is requesting the hearing be continued.
8. An "Immigration Judge may grant a motion for continuance for good cause shown." *Matter of Cezareo SANCHEZ SOSA, et al., Respondents*, 25 I&N Dec. 807 (BIA 2012); 8 C.F.R. § 1003.29 (2012); *See also Matter of Rajah*, 25 I&N Dec. 127, 129-30 (BIA 2009); 8 C.F.R. § 1240.6 (2012).
9. BIA finds that "as a general rule, there is a rebuttable presumption that an alien who has filed a prima facie approvable application with the USCIS will warrant a favorable exercise of discretion for a continuance for a reasonable period of time." *Matter of Sanchez Sosa* at 815.
10. Respondent is seeking a continuance of the Master Calendar Hearing based on the pending U Visa application.
11. Respondent's potential remedy constitutes good cause that warrants the grant of a continuance.

WHEREFORE, Respondent is respectfully requesting that the Immigration judge grants the Motion to Administratively Close Proceedings or in the alternative that a continuance of this

Master Calendar Hearing be granted in this matter to provide Respondent with additional time to proceed with his U Visa application.

Sonia Parras Konrad
2925 Ingersoll Ave., Suite 7
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Ph: 515-255-9317
ATTORNEY FOR RESPONDENT

PROOF OF SERVICE

On _____, 2016 the undersigned served a copy of this Motion to Continue Master Calendar Hearing and any attached pages to Office of Deputy Chief Counsel, Immigration and Customs Enforcement, 1717 Avenue H, Suite 174, Omaha, NE 68110, by first class mail.

Name

Signature

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Attorney Shefali Aurora
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In the Matter of: XXXXXXXXXXXX AKA XXXXXXXXXXXX In removal proceedings	File No. AXXX-XXX-XXX
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Immigration Judge: Anderson

Next Hearing: Master Calendar Hearing
December 1, 2016 at 9:00 AM

ORDER

A Motion to Reconsider the Motion to Administratively Close Proceedings has been filed by Respondent's attorney in the above entitled matter (s). Upon due consideration, IT IS HEREBY ORDERED that the motion is _____ granted _____ denied.

A Motion to Continue Master Calendar Hearing in the alternative has been filed by Respondent's attorney in the above entitled matter (s). Upon due consideration, IT IS HEREBY ORDERED that the motion is _____ granted _____ denied.

Dated: _____
U.S. Immigration Judge

Copy to: DHS Chief Counsel
Sonia Parras Konrad, Counsel for Respondent