

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW
IMMIGRATION COURT
CHICAGO, ILLINOIS**

| | | |
|------------------------|---|-------------------------|
| IN THE MATTER OF: |) | |
| |) | DETAINED |
| |) | |
| XXXX |) | Hon. Judge _____ |
| XXXX-XXX-XXX |) | |
| |) | |
| In Removal Proceedings |) | |

RESPONDENT’S MOTION FOR LEAVE TO AMEND FILING

COMES NOW Respondent, by and through undersigned counsel, and files the following Motion before this Court. In support of this Motion, Respondent states as follows:

1. Respondent is scheduled for an Individual Hearing on May _____ at 1:00pm.
2. In keeping with this Court’s order, Respondent filed supplemental documentation by May _____.
3. Subsequent to that filing, undersigned counsel received additional documentation in support of Respondent’s claim that Respondent’s family in Guatemala belatedly obtained on his behalf. Respondent’s family was unable to fax this documentation to counsel prior to the filing deadline as they did not have sufficient funds to do so and moreover had to travel a distance to be able to use a fax machine. Respondent’s family subsequently coordinated with Respondent’s wife to obtain funds and thus fax this documentation.
4. Respondent therefore moves this Court for leave to amend his filing to include his signed affidavit.
5. Granting this Motion will not prejudice the Government nor cause undue burden on the Court. Rather, it will ensure that Respondent receives a meaningful opportunity to be heard and to present evidence on the merits of his case. 8 C.F.R. §240(b)(4)(B); *see also Kerciku v. INS*, 314 F.3d 913 (7th Cir. 2003); *Matter of Doural*, 18 I&N Dec. 37 (BIA 1981).

WHEREFORE, based on the foregoing reasons, Respondent urges this Court to grant leave to amend his filing.

Respectfully submitted,

ATTORNEY
Contact information

Date: _____