

DEPARTMENT OF HOMELAND SECURITY  
**NOTICE TO APPEAR**

In removal proceedings under section 240 of the Immigration and Nationality Act: [REDACTED]

File No: 123-456-789

In the Matter of:

Respondent: [REDACTED]

currently residing at:

ORR Region 2, Avenida De la Constitucion San Juan PR 00902

+1 (787) 678-9012

(Number, street, city, state and ZIP code)

(Area code and phone number)

☐ You are an arriving alien.

☒ You are an alien [REDACTED] of the United States [REDACTED]

☐ You have been [REDACTED]

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States.
2. You are a native of [REDACTED] the Dominican Republic.
3. You entered the United States at or near an unknown place at an unknown date.
4. You were not then admitted or paroled after inspection by an Immigration Officer.

[REDACTED]

[REDACTED]

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212 (a) (6) (A) (i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as [REDACTED]

☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.

☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

Guaynabo/San Juan San Patricio Office Ctr #7 Tabonuco St, rm 401, Guaynabo, PR 00968

(Complete Address of Immigration Court, including Room Number, if any)

on 12/03/2021 at 8:30 am to show why you should not be removed from the United States based on the  
(Date) (Time)

charge(s) set forth above.

*B. Patroller*

B. Patroller, Border Patrol

(Signature and Title of Issuing Officer) (Sign in ink)

Date: 10/18/2021

San Juan, Puerto Rico

(City and State)

**Warning:** Any statement you make may be used against you in removal proceedings.

**Alien Registration:** This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

**Representation:** If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

**Conduct of the hearing:** At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish, you may arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will also be given the opportunity to present evidence and to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

**One-Year Asylum Application Deadline:** If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal, with the Department of Homeland Security (DHS), at <https://www.dhs.gov/i-589>. Failure to file the Form I-589 within one year of the date of your final order of removal may result in your being ineligible for asylum under section 208 of the Immigration and Nationality Act.

**Failure to appear:** You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the immigration judge in your absence, and you may be arrested and detained by the DHS.

**Mandatory Duty to Surrender for Removal:** If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at [www.dhs.gov](https://www.dhs.gov), as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

**U.S. Citizenship Claims:** If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

**Sensitive Information:** This Notice to Appear was served on you at a location where a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1226(c)(1), each action complied with 8 U.S.C. § 1367.

### Request for Prompt Hearing

To expedite my removal proceedings, I request that the Executive Office for Immigration Review as soon as possible, waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

*Immigration Officer*

(Signature and Title of Immigration Officer) (Sign in ink)

*Zain Reyes*

(Signature of Respondent) (Sign in ink)

Date: 10/18/2021

### Certificate of Service

This Notice To Appear was served on the respondent by me on 10/18/2021, in the following manner and in compliance with section 239(a)(1) of the Act.

- ☒ in person ☐ by certified mail, returned receipt # \_\_\_\_\_ requested ☐ by regular mail
- ☐ Attached is a credible fear worksheet.
- ☒ Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

*Zain Reyes*

(Signature of Respondent if Personally Served) (Sign in ink)

*B. Patroller*

B. Patroller

(Signature and Title of officer) (Sign in ink)

**Authority:**

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

**Purpose:**

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the consequences of failing to appear and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for record keeping.

**Routine Uses:**

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS SORN: DHS/ICE-001 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Case Information System (GCIS). When disclosed to the DOJ EOIR for immigration proceedings, this information that is maintained and used by DHS is covered by the following DOJ EOIR SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the above mentioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate unredacted information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement, other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

**Disclosure:**

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.