

TABLE OF CONTENTS

CD-ROM TABLE OF CONTENTS	21
---------------------------------	-----------

CHAPTER 1: REMOVAL PROCEEDINGS

I.	Overview of Removal Proceedings	43
A.	Concept	43
B.	Congressional Power to Deport Aliens	44
C.	Changes in the Law Impacting on Removal Proceedings	44
II.	How People Get Placed in Removal Proceedings	45
III.	Inadmissibility or Deportability – Which Concept Applies?	47
IV.	Commencement of Removal Proceedings in Immigration Court	49
A.	Charging Documents	49
1.	Notice to Appear	49
2.	Order to Show Cause	49
3.	Form I-122	49
B.	Proper Service	50
1.	Notice to Appear	50
2.	Order to Show Cause	50
C.	Notice of Address Change	50
D.	Burden of Proof	50
E.	Rights in Proceedings	51
1.	Representation By Counsel	51
2.	Legal Services	51
3.	Contacting Consulates	52
4.	Translation	52
5.	Right to Examine Evidence	52
6.	Right to Be Advised of Eligibility for Relief	52

7.	Right to Due Process	52
F.	Special Rules for Juveniles	53
V.	Pre-Hearing Procedures	53
A.	Bond	53
B.	Pre-Hearing Motions	57
1.	Motions to Continue the Hearing Date	57
2.	Motions for Extension of Time to Submit Documents, Memoranda, or Applications	57
3.	Motions to Change Venue	57
4.	Motions to Terminate the Proceedings	57
5.	Motions for Deposition of a Witness or for Issuance of a Subpoena or Subpoena Duces Tecum	58
6.	Motion for a Pre-hearing Conference	58
C.	Discovery Through FOIA and Criminal Record Checks	58
D.	Pre-hearing Statement	61
VI.	Master Calendar Hearings and Merit Hearings	61
VII.	In Absentia Orders	63
VIII.	Immigration Judge Decision/Appeals	64
IX	Consequences of Being in Removal Proceedings	65
A.	Jurisdiction	65
B.	Penalties for Non-Compliance with Court Orders	65
X.	Putting the Pieces Together: Anatomy of a Removal Hearing	66
XI.	Types of Removal Orders	67
A.	Expedited Removal Under INA § 235(b)	67
B.	Administrative Removal Orders Under INA § 238(b)	69
C.	Judicial Removal Order Under INA § 238(c)	69
D.	Reinstatement of Removal, INA § 241(a)(5)	70
XII.	Practice Tips for Non-Court Advocates	71

Appendix 1: Sample Notice to Appear	74
Appendix 2: Sample Order to Show Cause and Notice of Hearing	76
Appendix 3: Notice to Applicant for Admission Referred for Hearing to Immigration Judge	81
Appendix 4: Executive Office for Immigration Review web page, Immigration Court listings, and Local Operating Procedures for the Los Angeles, Lancaster, and San Pedro Immigration Courts	82
Appendix 5: Sample cover letter and instructions for requesting a FBI criminal record check	85
Appendix 6: Sample order of an Immigration Judge granting asylum.	87
Appendix 7: Sample Form I-860: Notice and Order of Expedited Removal	88
Appendix 8: Sample Form I-851: Administrative Removal Order	91

CHAPTER 2: GROUNDS OF DEPORTABILITY

I	Grounds of Deportability: Generally	93
II	Aliens, Inadmissible at the Time of Entry or Adjustment of Status, INA § 237(a)(1)	94
A.	Inadmissible Aliens, INA § 237(a)(1)(A)	94
B.	Aliens Present in the U.S. in Violation of Law, INA § 237(a)(1)(B)	95
C.	Failure to Maintain Status, INA § 237(a)(1)(C)	96
D.	Termination of Conditional Permanent Residence, INA § 237(a)(1)(D)	96
E.	Alien Smuggling, INA § 237(a)(1)(E)	97

F.	Marriage Fraud, INA § 237(a)(1)(F)	98
III	Criminal Grounds of Deportability	98
A.	General Crimes	99
1.	Crimes of Moral Turpitude, INA § 237(a)(2)(A)(i)	99
2.	Multiple Criminal Convictions, INA § 237(a)(2)(A)(ii)	104
3.	Aggravated Felony, INA § 237(a)(2)(A)(iii)	105
4.	High Speed Flight, INA § 237(a)(2)(A)(iv)	108
B.	Drug Offenses	108
1.	Controlled Substance Convictions, INA § 237(a)(2)(B)(i)	108
2.	Drug Abusers and Addicts, INA § 237(a)(2)(B)(ii)	109
C	Firearm Violations, INA § 237(a)(2)(C)	109
D.	Miscellaneous Crimes, INA § 237(a)(2)(D)	110
E	Crimes of Domestic Violence, Stalking, or Violation of a Protection Order, INA § 237(a)(2)(E)	110
1.	Domestic Violence, Stalking, and Child Abuse, INA § 237(a)(2)(E)(i)	110
2.	Violators of Protection Orders, INA § 237(a)(2)(E)(ii)	111
IV	Document-Related Grounds of Deportability, INA § 237(a)(3)	111
A.	Change-of-Address Requirement, INA § 237(a)(3)(A)	111
B.	Criminal Convictions Relating to Failure to Register and Falsification of Documents, INA § 237(a)(3)(B)	111
C.	Document Fraud Violations, INA § 237(a)(3)(C)	111
D.	Falsely Claiming Citizenship, INA § 237(a)(3)(D)	112

V.	Security and Related Grounds of Deportability, INA § 237(a)(4)	112
A.	Espionage, Sabotage, and Other Illegal Activities, INA § 237(a)(4)(A)	113
B.	Terrorist Activities, INA § 237(a)(4)(B)	113
C.	Foreign Policy Considerations, INA § 237(a)(4)(C)	113
D.	Participation in Genocide or Nazi-Sponsored Persecution, INA § 237(a)(4)(D)	114
VI	Public Charge Grounds of Deportability, INA § 237(a)(5)	114
VII	Unlawful Voting Ground of Deportability, INA § 237(a)(6)	115

CHAPTER 3: GROUNDS OF INADMISSIBILITY

I.	Overview of The Inadmissibility Grounds	116
II.	Who Bears The Burden Of Proof Under INA § 212?	117
III.	Evaluating The Charges Of Inadmissibility	118
IV.	Grounds of Inadmissibility	118
A.	Health-Related Grounds	119
1.	Communicable Diseases	119
2.	Inadmissibility Because of Lack of Vaccination	120
3.	Physical or Mental Disorders	120
4.	Drug Abusers or Addicts	121
B.	Criminal Grounds	122
1.	Overview	122
2.	Required Standards of Proof	123
3.	Obtaining Necessary Records and Analyzing a Criminal Conviction	123
4.	“Conviction,” “Admission,” and “Sentence”	123
5.	Crimes Involving Moral Turpitude	124

6.	Multiple Criminal Convictions	125
7.	Controlled Substance Violators	126
8.	Traffickers in Controlled Substances	127
9.	Prostitution and Commercialized Vice	127
10.	Immunity from Prosecution	128
11.	Particularly Serious Violations of Religious Freedoms	128
12.	Significant Traffickers in Persons	128
13.	Money laundering	129
14.	Aggravated Felons	129
C.	National Security Grounds	129
1.	Espionage, Sabotage, Export Control Violations and Other Unlawful Activities	129
2.	Terrorist Activity	130
3.	Potential for Serious Adverse Consequences for Foreign Policy	130
4.	Membership in the Communist or a Totalitarian Party	131
5.	Participant in Genocide or Nazi Persecution	132
D.	Public Charge	132
1.	Public Charge Standard	132
2.	Bonds	134
E.	Previous Immigration Violations	134
1.	Aliens Present without Permission or Parole	134
2.	Failure to Attend Removal Proceedings	135
3.	Fraud or Willful Misrepresentation	135
4.	False Claim of U.S. Citizenship	137
5.	Stowaways	137
6.	Smugglers and Encouragers of Unlawful Entry	137
7.	Final Civil Document Fraud Order	138
8.	Foreign Students	138

F.	Ineligibility for Citizenship	138
G.	Prior Removal Orders or Periods of Unlawful Presence	139
1.	Having Been Previously Removed	139
2.	Unlawful Presence Bars	141
a.	Persons “Unlawfully Present”	141
b.	Determining Unlawful Presence	142
3.	Reentering the U.S. Without Authorization	147
H.	Miscellaneous Grounds	147

CHAPTER 4: CONTESTING REMOVABILITY

I.	Introduction	149
II.	Three preliminary considerations in removal proceedings	150
A.	Is the client a United States citizen?	150
B.	Even if Your Client is not a U.S. Citizen, is Your Client Actually Subject to Removal?	152
C.	Prosecutorial discretion	153
III.	The decision to concede or contest removability	156
IV.	Challenging the Notice to Appear	156
V.	Burden and standard of proof in INA § 240 proceedings	158
A.	Removal proceedings based on inadmissibility	158
B.	Removal proceedings based on deportability	159
VI.	Special issues where respondent is charged with being inadmissibility or deportable on criminal grounds	160
A.	Requirements of evidence to establish a criminal ground of inadmissibility or deportability.	160
B.	Does the conviction meet all necessary elements for immigration consequences?	161
VII.	Constitutional Violations and Motions to Suppress	164

A.	Overview	164
B.	A case study in motions to suppress	165
C.	The right to be free of unreasonable searches and seizures under the Fourth Amendment	166
D.	The exclusionary rule in removal proceedings	167
E.	When is a warrant required?	168
F.	What constitutes a seizure?	169
G.	What is an arrest?	170
H.	What is mere questioning?	171
I.	What is detentive questioning?	172
J.	Preparing the motion to suppress	173
K.	The right to remain silent	174
VIII.	Conclusion	175
	Appendix A: Sample Motion to Suppress	176
	Appendix B: Sample Motion to Dismiss	199
	Appendix C: Acquisition and Derivation of Citizenship Charts - by ILRC	200
	Appendix D: Decision of the Immigration Judge on a Motion to Terminate Proceedings/Motion to Suppress (Decision currently on appeal to BIA) - Provided by Catholic Charities Community Services, New York, New York	208

CHAPTER 5: ADJUSTMENT OF STATUS

I.	Introduction	222
A.	Various Modes of Adjustment	222
B.	Re-Adjustment of Status	223
C.	Arriving Aliens and Adjustment in Proceedings	223
D.	Termination to Proceed with Adjustment Before	

USCIS	224
II. Family-based Adjustment of Status	226
A. Overview of Eligibility Requirements	226
B. Obtaining Benefits Under § 245(i)	226
C. Procedure	228
1. When to Assert the Defense	228
2. Motions to Continue	229
D. Submitting Proof of <i>Prima Facie</i> Eligibility and Filing the Application	231
E. The Merits Hearing	233
III. Removal of Conditional Residence	233
A. Overview	233
B. Failure to Comply with Procedural Requirements	234
C. Denial of Joint Petition or Waiver Application	235
D. Immigration Court Jurisdiction	235
IV. NACARA § 202 and HRIFA	236
A. Introduction	236
B. NACARA § 202	236
C. Haitian Refugee Immigration Fairness Act (HRIFA)	239
V. Registry (INA § 249)	242
A. Introduction	242
B. Eligibility Requirements	242
C. The Application Process	245
VI. Adjustment for Certain Foreign Nationals from Vietnam, Cambodia, and Laos	246
VII. Cuban Refugee Adjustment Act of November 2, 1966	248

CHAPTER 6: WAIVERS OF INADMISSIBILITY AND DEPORTABILITY IN REMOVAL PROCEEDINGS

I.	Overview	251
II.	The exercise of discretion	252
III.	Extreme hardship	253
	A. Definition	253
	B. Documenting extreme hardship	257
IV.	Waivers of inadmissibility grounds in removal proceedings	259
	A. INA § 212(g) waivers for health-related inadmissibility grounds	259
	1. Waivers for communicable diseases of public health significance	259
	2. Waivers for physical or mental disorders with associated harmful behavior	260
	3. Waivers of the vaccination requirement	260
	B. INA § 212(h) waivers for criminal inadmissibility grounds	261
	1. What criminal inadmissibility grounds does Section 212(h) waive?	261
	2. What are the eligibility requirements for the Section 212(h) waivers?	262
	C. INA § 212(i) waivers for fraud or misrepresentation	263
	D. INA § 212(a)(9)(B)(v) waiver for unlawful presence	264
	E. The VAWA waiver for the permanent bar	264
	F. The INA § 212(d)(3) nonimmigrant waiver	265
	G. Waivers of inadmissibility for refugees and asylees	265
	H. Waivers under special forms of relief	265
V.	Strategy and procedure for applications for waivers of inadmissibility grounds in removal proceedings	266
VI.	Form I-212 - Consent to Reapply for Admission	267
	A. Eligibility and Strategy	267
	B. Procedure	269
VII.	Waivers of deportation grounds in removal proceedings	270

A.	INA § 237(a)(1)(H) deportability waiver for fraud or misrepresentation	270
B.	Waiver of deportation ground of crimes of domestic violence or violation of a protection order	271
VIII.	Conclusion	272

CHAPTER 7: SECTION 212(c) RELIEF AND CANCELLATION OF REMOVAL FOR LAWFUL PERMANENT RESIDENTS

I.	Introduction	273
II.	Cancellation for LPRs – Cancellation of Removal Part A	273
A.	LPR for Five Years	274
B.	Seven Years Continuous Residence After Lawful Admission	275
C.	Bars to Cancellation Eligibility	276
D.	Discretionary Factors	278
E.	Where and How to File	280
III.	Section 212(c) Relief	280
A.	Relief Under Section 212(c)	280
B.	Background	280
C.	Eligibility Under INA §212(c)	282
D.	Motions to Reopen to Apply for §212(c) Relief	285
E.	The Application for Section 212(c) Relief	285
F.	Persons Not Covered in the New Regulations	285
G.	Looking Ahead	286
IV.	Proposed Repapering Rule	286
	Appendix 1: Form EOIR-42A: Application for Cancellation of Removal for Certain Permanent Residents	288

**CHAPTER 8: CANCELLATION AND SUSPENSION FOR
NON-PERMANENT RESIDENT ALIENS**

I.	Introduction	304
II.	Former Suspension of Deportation	304
	A. Overview	304
	B. IIRAIRA Changes	305
	C. Current Standard and Procedure for Suspension	
	Applicants	305
	1. Eligibility	306
	2. Continuous Physical Presence	306
	3. Proposed Rule on Repapering	307
	4. Good Moral Character	308
	5. Extreme Hardship	309
	6. Discretion	310
III.	Cancellation of Removal for Non-LPRs	311
	A. Introduction	311
	B. Eligibility	311
	C. Continuous Residence or Physical Presence	312
	D. Exceptional and Extremely Unusual Hardship	314
	E. Grounds of Ineligibility	317
	F. 4,000 Annual Cap	317
IV.	Cancellation of Removal for Abused Immigrant Women and Children	318
	A. Background	318
	B. Requirements	318
	1. Marital Relationship	319

2.	Children	319
3.	Battery or Extreme Cruelty	320
4.	Three-Year Continuous Physical Presence	321
5.	No Residence with Abuser	321
6.	Where Abuse took Place	321
7.	Good Moral Character	321
8.	Inadmissible or Deportable	323
9.	Extreme Hardship	324
10.	Evidence	325
11.	Intake Interview	326
12.	Self-Petitions	327
13.	Laws of Other Countries	327
14.	VAWA Cancellation Cap	327
V.	Nicaraguan Adjustment and Central American Relief Act, Section 203	327
A.	Introduction	327
B.	Beneficiaries of NACARA	328
1.	Eligibility to Apply	328
a.	Guatemalans	328
b.	Salvadorans	328
c.	Dependent Spouses and Children	329
d.	Unmarried Sons and Daughters	329
C.	Jurisdiction of NACARA Application	330
1.	Asylum Office	330
a.	Guatemalans	330
b.	Salvadorans	330
c.	Dependents	331
2.	Executive Office of Immigration Review	331
D.	Requirements for NACARA Suspension of Deportation or Cancellation of Removal	331
1.	Continuous Physical Presence	332

a.	Seven Years	332
b.	Departures	332
2.	Good Moral Character	333
3.	Extreme Hardship	334
4.	Presumption of Extreme Hardship for Certain NACARA Beneficiaries	334
E.	Statutory Bars to NACARA	335
1.	Bars Relating to Immigration Violations	335
a.	NACARA Suspension of Deportation	335
b.	Cancellation of Removal	336
2.	Bars Relating to Failure to Comply with Immigration Proceedings	337
a.	Suspension of Deportation: Five-Year Bars	337
b.	Cancellation of Removal: Ten-Year Bars	338
F.	Process for Applying in Removal Proceedings	338
1.	Application	338
2.	Unmarried Sons and Daughters	338
3.	Motions to Reopen	339
4.	Burden of Proof	339
5.	Types of Evidence	340
a.	Physical Presence	340
b.	Good Moral Character	340
c.	Extreme Hardship	340
G.	Reinstatement of Removal Does NOT Bar NACARA Application	341
H.	Deadline for Applications	341

Appendix 1: Form EOIR-42B: Application for Cancellation of Removal and Adjustment of Status for Certain Nonpermanent Residents	342
--------------------------------------------------------------------------------------------------------------------------------------	-----

Appendix 2: Form I-881: Application for Suspension of Deportation or Special Rule Cancellation of Removal	355
--------------------------------------------------------------------------------------------------------------	-----

**CHAPTER 9: ASYLUM
WITHHOLDING OF REMOVAL AND PROTECTION UNDER
THE CONVENTION AGAINST TORTURE**

PART ONE: ASYLUM AND WITHHOLDING OF REMOVAL

I. Asylum vs. Withholding	372
II. Standards of Proof, Evidentiary Considerations and the Real ID Act of 2005	372
III. Elements of Persecution	375
A. Economic Refugee	378
B. Persecution by Groups That the Government Cannot Control	378
C. Internal Flight Alternative	378
D. Persecution vs. Prosecution	379
E. Coercive Family-Planning Programs	379
F. Neutrality and Imputed Political Opinion	380
G. Conscription by the Government	382
H. Membership in a Particular Social Group	382
IV. Exercise of Discretion	389
V. Ineligible Cases	390
A. Ineligible for Asylum	390
1. Persons Inadmissible on Security Grounds or Removable as Terrorists	391
2. Firm Resettlement	392
3. Safe Third Country	392
4. Particularly Serious Crime in the Asylum	

Context	392
B. Ineligible for Withholding	393
1. Particularly Serious Crime in the Withholding Context	393
VI. Termination of Asylum or Withholding	394
VII. Credible Fear Process	395

**PART TWO: PROTECTION UNDER THE CONVENTION
AGAINST TORTURE (CAT)**

I. Overview	396
II. Definitions	396
III. Establishing Eligibility	399
A. Burden of Proof	399
B. Article 3 Withholding or Deferral of Removal	400
IV. Procedures	401
A. Persons Arriving at a Port of Entry	401
B. Persons in Removal Proceedings	401
C. Persons Who Apply Affirmatively for Asylum and Withholding	401
D. Persons Ordered Removed or Those Who Had Final Orders of Removal Before March 22, 1999	402
E. Persons Who Had CAT Cases Pending with the INS on or Before March 22, 1999	402
F. Persons Whose Previous Removal Order is Reinstated and Persons Who are not Permanent Resident Aggravated Felons	402
G. Persons Who are Subject to Administrative Removal Per INA Section 235(c)	403
V. Diplomatic Assurances	403

Appendix 1: Obtaining Asylum in the United States: Two Paths to Asylum	405
Appendix 2: United States Department of Justice, Executive Office for Immigration Review, FY 2005 Statistical Yearbook, Excerpt on Asylum Cases	408
Appendix 3: Form I-589: Application for Asylum and Withholding of Removal	415

CHAPTER 10: VOLUNTARY DEPARTURE

I. Overview	439
II. Requirements	440
A. Prior to the conclusion of removal proceedings	440
B. At the conclusion of removal proceedings	440
III. Negative consequences of failure to timely depart under a grant of voluntary departure	441
IV. Appeals while the voluntary departure clock is ticking	444
V. The effect of a motion to reopen upon a grant of voluntary departure	445
VI. The application for voluntary departure	447
VII. Establishing compliance with voluntary departure	447
VIII. Conclusion	447

CHAPTER 11: NATURALIZATION AS A DEFENSE TO REMOVAL

I. Overview	448
II. Prima Facie Eligibility for Naturalization	448
III. Bars to Establishing Good Moral Character	449

IV.	Aggravated Felony Convictions	449
V.	Naturalization as a Defense to Removal	450
A.	Procedure	450
1.	Prosecutorial Discretion	451
2.	Termination of Proceedings under 8 CFR Section 1239.2(f)	452
3.	After Termination	454
VI	Final Order Bars Naturalization	454
	Appendix 1: Sample Brief in Support of Motion to Terminate Removal Proceedings	456
	Appendix 2: Sample Motion to Terminate to Proceed on an Application for Naturalization Pursuant to 8 C.F.R. § 1239.2(f)	464

CHAPTER 12: ADMINISTRATIVE REVIEW OF REMOVAL ORDERS

I.	Overview	468
II.	Appeals to the Board of Immigration Appeals (BIA)	468
III.	Motions to Reopen and Motions to Reconsider	470
A.	Purpose	470
B.	Time and Number Limits	471
C.	Content, Format, and Filing Requirements for Motions to Reopen and Motions to Reconsider	472
IV.	Motions to Reopen In Absentia Removal Orders	473
V.	Conclusion	475
	Appendix 1: Sample Notice of Appeal from a decision of an Immigration Judge	476

Appendix 2: Sample Motion for Extension of Time to File Brief to BIA	485
-------------------------------------------------------------------------	-----

CHAPTER 13: JUDICIAL REVIEW OF REMOVAL ORDERS

I.	Introduction	488
II.	Judicial Review Before 1996 Changes	488
III.	Judicial Review Under the Transitional Rules	489
IV	Judicial Review of Removal Orders After Passage of the REAL ID Act	489
	A. Overview	489
	B. Habeas Corpus in District Courts	490
	1. Habeas Corpus Prior to the REAL ID Act	490
	2. Habeas Petitions Pending Prior To the REAL ID Act	490
	3. Habeas Challenges to Detention	491
	C. Petitions for Review in the Courts of Appeals	492
	1. Petitions for Review after the REAL ID Act	492
	2. Bars to Judicial Review in the Courts of Appeals	493
	a. Denials of discretionary relief and the special case of asylum	493
	b. Orders against criminal aliens	494
	c. Decisions to commence proceedings, adjudicate cases, or execute removal orders	495
	3. Procedural Rules regarding Petitions for Review	498
V	Judicial Review of Particular Types of Removal Orders	498
	A. Expedited Removal of Aliens Arriving at Ports of	

	Entry	498
B.	Treatment of Nationality Claims	499
C.	Challenges to the Validity of Removal Orders in Criminal Proceedings	499
D.	Judicial Review of Certain Administrative Removal Orders	499
E.	Judicial Review of Judicial Orders of Removal	500
F.	Mandamus and Other Types of Petitions	500

CD-ROM RESOURCE MATERIALS

CHAPTER 1

- 8 CFR 1.1 (q)
- 8 CFR 1003.12
- 8 CFR 1003.13
- 8 CFR 1003.14
- 8 CFR 1003.15
- 8 CFR 1003.15(b)
- 8 CFR 1003.15(c)
- 8 CFR 1003.16
- 8 CFR 1003.17
- 8 CFR 1003.17(a)
- 8 CFR 1003.18
- 8 CFR 1003.19
- 8 CFR 1003.19(d)
- 8 CFR 1003.19(h)(2)(ii)
- 8 CFR 1003.20
- 8 CFR 1003.21
- 8 CFR 1003.21(a)
- 8 CFR 1003.22
- 8 CFR 1003.23
- 8 CFR 1003.24
- 8 CFR 1003.25
- 8 CFR 1003.25(c)
- 8 CFR 1003.26
- 8 CFR 1003.27
- 8 CFR 1003.28
- 8 CFR 1003.29
- 8 CFR 1003.3
- 8 CFR 1003.30
- 8 CFR 1003.31
- 8 CFR 1003.31(c)
- 8 CFR 1003.32
- 8 CFR 1003.33
- 8 CFR 1003.34
- 8 CFR 1003.35
- 8 CFR 1003.35(a)
- 8 CFR 1003.35(b)
- 8 CFR 1003.36
- 8 CFR 1003.37
- 8 CFR 1003.38
- 8 CFR 1003.38(b)
- 8 CFR 1003.39
- 8 CFR 1003.40
- 8 CFR 1003.41
- 8 CFR 1003.61
- 8 CFR 1236.1
- 8 CFR 1236.1(e)
- 8 CFR 1240.10
- 8 CFR 1240.10(c)
- 8 CFR 1240.15
- 8 CFR 1240.5
- 8 CFR 1240.8(a)

- 8 CFR 1240.8(b)
- 8 CFR 1240.8(c)
- 8 CFR 1240.8(d)
- 8 CFR 1240.11(a)(2)
- 8 CFR 1292.1
- 8 CFR 1292.2
- 8 CFR 208.31
- 8 CFR 235.3(b)(3)
- 8 CFR 238.1(b)(2)
- 8 CFR 238.1(c)
- 8 CFR 241.8(d)
- 8 CFR 241.8(e)
- Arellano-Garcia v. Gonzales, 429 F. 3d 1183 (8th Cir. 2005)
- Bejjani v. INS, 271 F. 3d 670 (6th Cir. 2001)
- Castro-Cruz v. INS, 239 F. 3d 1037 (9th Cir. 2001)
- CRS Report: "Immigration Policy on Expedited Removal of Aliens," Updated January 18, 2006
- Demore v. Kim 538 US 510 (2003)
- Diomande v. Wrona, 2005 US Dist. LEXIS 33795 (E.D. Mich., Dec. 12, 2005)
- Faiz-Mohammed v. Ashcroft, 395 F. 3d 799 (7th Cir. 2005)
- Fernandez-Vargas v. Gonzales, 126 S. Ct. 2422 (2006)
- FOIA Addresses
- Fong Yue Ting v. US, 1 149 US 698 (1893)
- Form EOIR-28
- Form EOIR-33/BIA
- Form EOIR-33/IC
- Form G-639
- INA 101(a)(13)
- INA 101(a)(13)(c)
- INA 101(a)(3)
- INA 101(a)(43)
- INA 208
- INA 212
- INA 212(a)
- INA 212(a)(2)
- INA 212(a)(3)(B)
- INA 212(a)(6)(B)
- INA 212(a)(6)(c)
- INA 212(a)(7)
- INA 235(b)
- INA 235(b)(1)(B)(III)
- INA 235(b)(1)(D)
- INA 235(b)(1)(B)(v)
- INA 236(a)
- INA 236(c)(1)
- INA 236(c)(2)
- INA 237(a)
- INA 237(a)(2)
- INA 237(a)(2)(A)
- INA 237(a)(2)(A)(i)
- INA 237(a)(2)(A)(ii)
- INA 237(a)(2)(A)(iii)
- INA 237(a)(2)(B)
- INA 237(a)(2)(C)
- INA 237(a)(2)(D)
- INA 237(a)(4)
- INA 237(a)(4)(B)
- INA 238(b)

- INA 238(b)
- INA 238(b)(5)
- INA 238(c)
- INA 238(c)(2)(B)
- INA 239(a)
- INA 239(a)(1)
- INA 239(a)(1)(F)
- INA 239(a)(2)
- INA 240
- INA 240(b)(4)(A)
- INA 240(b)(4)(B)
- INA 240(b)
- INA 240(b)(5)
- INA 240(b)(5)(B)
- INA 240(c)(2)
- INA 240(c)(3)
- INA 240A(a)
- INA 240B(d)
- INA 241(a)(5)
- INA 242
- INA 242(b)
- INA 265(b)
- *Katebi v. Ashcroft*, 396 F. 3d 463 (1st Cir. 2005)
- *Khodagholian v. Ashcroft*, 335 F. 3d 1003 (9th Cir. 2003)
- *Kleindienst v. Mandel*, 408 US 753 (1972)
- *Landon v. Plasencia*, 459 US 21 (1982)
- *Ly v. Hansen*, 351 F. 3d 263 (6th Cir. 2003)
- *Matter of Adeniji*, 22 I&N 1102 (BIA 1999)
- *Matter of Chun*, A45 246 969 (BIA Unpublished 2005)
- *Matter of Daryousch*, 18 I&N Dec. 352 (BIA 1982)
- *Matter of D-J-*, 23 I&N Dec. 572 (AG 2003)
- *Matter of Garcia*, 17 I&N 325 (BIA 1980)
- *Matter of Guerra*, 24 I&N Dec. 37 (BIA 2006)
- *Matter of G-Y-R-*, 23 I&N Dec. 181 (BIA 2001)
- *Matter of Huang*, 19 I&N Dec. 749 (BIA 1988)
- *Matter of Joseph*, 22 I&N 660 (BIA 1999)
- *Matter of Leybinsky*, A73 569 408 (BIA Mar. 2, 2000)
- *Matter of M-D-*, 23 I&N 540 (BIA 2002)
- *Matter of Patel*, 15 I&N Dec. 666 (BIA 1976)
- *Matter of Rojas*, 23 I&N Dec. 117 (BIA 2001)
- *Matter of Toro*, 17 I&N Dec. 340 (BIA 1980)
- *Matter of West*, 22 I&N 1405 (BIA 2000)
- *Matter of X-K-*, 23 I&N 731 (BIA 2005)
- *Olatunji v. Ashcroft*, 387 F. 3d 383 (4th Cir. 2004)
- *Parlak v. Baker*, 374 F. Supp. 2d 551 (E.D. Mich. 2005)
- *Quezada-Bucios v. Ridge*, 317 F. Supp. 2d 1221 (W.D. Wash. 2004)
- "Reinstatement of Removal," AILF's Practice Advisory
- *Rodriguez-Galicia v. Gonzales*, 422 F. 3d 529 (7th Cir. 2005)
- *Tijani v. Willis*, 430 F. 3d 1241 (9th Cir. 2005)
- *Woodby v. INS*, 385 US 276 (1966)
- www.lexisnexis.com/practiceareas/immigration/immigration_cases.asp
- www.usdoj.gov/eoir

CHAPTER 2:

- 8 CFR 1240.8(a)
- 18 USC 16

- 18 USC 1084
- 21 USC 802
- 42 CFR 34.2(g)
- Abdelqadar v. Gonzales, 413 F. 3d 668 (7th Cir. 2005)
- Akindemowo v. INS, 61 F. 3d 282 (4th Cir. 1995)
- Aremu v. DHS, 450 F. 3d 578 (4th Cir. 2006)
- Balogun v. INS, 31 F. 3d 8 (1st Cir. 1994)
- Form AR-11
- Garcia v. INS, 239 F. 3d 409 (1st Cir. 2001)
- Gonzales v. Duenas-Alvarez, (05-1629)(Sept. 26, 2006)
- INA 101(a)(13)
- INA 101(a)(13)(c)
- INA 101(a)(43)
- INA 101(a)(48)(A)
- INA 101(a)(48)(B)
- INA 212(a)(3)(B)(iii)
- INA 212(a)(3)(B)(iv)
- INA 237
- INA 237(a)(1)
- INA 237(a)(1)(A)
- INA 237(a)(1)(B)
- INA 237(a)(1)(C)
- INA 237(a)(1)(C)(ii)
- INA 237(a)(1)(D)
- INA 237(a)(1)(E)
- INA 237(a)(1)(F)
- INA 237(a)(1)(G)
- INA 237(a)(1)(G)(i)
- INA 237(a)(1)(G)(ii)
- INA 237(a)(1)(H)
- INA 237(a)(2)(A)(i)
- INA 237(a)(2)(A)(ii)
- INA 237(a)(2)(A)(iii)
- INA 237(a)(2)(A)(iv)
- INA 237(a)(2)(B)(i)
- INA 237(a)(2)(B)(ii)
- INA 237(a)(2)(C)
- INA 237(a)(2)(D)
- INA 237(a)(2)(E)
- INA 237(a)(2)(E)(i)
- INA 237(a)(2)(E)(ii)
- INA 237(a)(3)
- INA 237(a)(3)(A)
- INA 237(a)(3)(B)
- INA 237(a)(3)(C)
- INA 237(a)(3)(C)(ii)
- INA 237(a)(3)(D)
- INA 237(a)(4)
- INA 237(a)(4)(A)
- INA 237(a)(4)(B)
- INA 237(a)(4)(C)
- INA 237(a)(4)(C)(i)
- INA 237(a)(4)(D)
- INA 237(a)(5)
- INA 237(a)(6)
- INA 238(b)
- INA 240(c)(3)

- INA 241(a)(1)(B)
- INA 265
- INA 274(a)(1)(A)
- INA 274(a)(2)(A)
- INA 274C
- INA 291
- IRC 7201
- *Iredia v. INS*, 981 F. 2d 847 (5th Cir. 1993)
- *Lopez v. Gonzales*, 126 S. Ct. 1651 (2006)
- *Martinez-Perez v. Gonzales*, 411 F. 3d 1022 (9th Cir. 2005)
- *Matter of Adetiba*, 20 I&N Dec. 506 (BIA 1992)
- *Matter of Beato*, 10 I&N Dec. 740 (BIA 1964)
- *Matter of Devison*, 22 I&N Dec. 1362 (BIA 2000)
- *Matter of Eslamizar*, 23 I&N Dec. 684 (BIA 2004)
- *Matter of Franklin*, 20 I&N Dec. 867 (BIA 1994)
- *Matter of Frentescu*, 18 I&N Dec. 244 (BIA 1982)
- *Matter of Fualaau*, 21 I&N Dec. 475 (BIA 1996)
- *Matter of Jurado*, 24 I&N Dec. 29 (BIA 2006)
- *Matter of Logan*, 17 I&N Dec. 367 (BIA 1980)
- *Matter of Lopez-Meza*, 22 I&N 1188 (BIA 1999)
- *Matter of Medina*, 15 I&N Dec. 611 (BIA 1976)
- *Matter of Olguin*, 23 I&N Dec. 896
- *Matter of Pickering*, 23 I&N Dec. 621 (BIA 2003)
- *Matter of Ramirez-Rivero*, 18 I&N Dec. 135 (BIA 1981)
- *Matter of Rosas*, 22 I&N Dec. 616 (BIA 1999)
- *Matter of Sanudo*, 23 I&N 968 (BIA 2006)
- *Matter of Shanu*, 23 I&N Dec. 754 (BIA 2005)
- *Matter of Short*, 20 I&N Dec. 136 (BIA 1989)
- *Matter of Torres-Varela*, 23 I&N Dec. 78 (BIA 2001)
- *Matter of Tran*, 21 I&N Dec. 291 (BIA 1996))
- *Mei v. Ashcroft*, 393 F. 3d 737 (7th Cir. 2004)
- *Montenegro v. Ashcroft*, 355 F. 3d 1035 (7th Cir. 2004)
- *Penuliar v. Gonzales*, 435 F. 3d 961 (9th Cir. 2006)
- *Shivaraman v. Ashcroft*, 360 F. 3d 1142 (9th Cir. 2004)
- *US v. Corona-Sanchez*, 291 F. 3d 1201 (9th Cir. 2002)
- www.criminalandimmigrationlaw.com

CHAPTER 3:

- 18 USC 1956
- 18 USC 1957
- 21 USC 802
- 22 CFR 40.63
- 22 USC 6402
- 28 CFR 1100.25
- 42 CFR 34.2(b)
- 42 CFR 34.2(d)
- 42 CFR 34.2(d)(2)(i)
- 42 CFR 34.2(d)(2)(ii)
- 42 CFR 34.2(g)
- 42 CFR 34.2(h)
- 42 CFR 34.2(n)
- 42 CFR 34.2(p)
- 42 CFR 34.8(a)
- 42 CFR 34.8(c)
- 8 CFR 1240.8(b)
- 8 CFR 1240.8(c)

- 8 CFR 212.2
- 8 CFR 212.2(e)
- 8 CFR 212.2(f)
- 8 CFR 241.7
- 9 FAM 40.63, N.4.6
- CRS Report: "Immigration : Analysis of the Major Provisions of the Real ID Act of 2005," (May 25, 2005)
- Department of State, Cable No.98-State-060539 (April 4, 1998) reprinted in 75 Interpreter Releases 791-794, 792 (May 12, 1997)
- Fernandez-Vargas v. Gonzales, 126 S. Ct. 2422 (2006)
- Form I-9, Employment Eligibility Verification Form
- I-212 waiver
- In re Luna Rubio, A74 317 521 (BIA unpublished dec. May 24, 2000)
- INA 101(a)(13)(c)
- INA 101(a)(19)
- INA 101(a)(47)
- INA 101(h)
- INA 207
- INA 208
- INA 212(a)
- INA 212(a)(1)(A)(i)
- INA 212(a)(1)(A)(ii)
- INA 212(a)(1)(A)(iii)
- INA 212(a)(1)(A)(iii)(II)
- INA 212(a)(1)(A)(iv)
- INA 212(a)(10)(A)
- INA 212(a)(2)(A)(i)(I)
- INA 212(a)(2)(A)(ii)(I)
- INA 212(a)(2)(A)(ii)(II)
- INA 212(a)(2)(B)
- INA 212(a)(2)(C)(ii)
- INA 212(a)(2)(D)
- INA 212(a)(2)(E)
- INA 212(a)(2)(G)
- INA 212(a)(2)(H)
- INA 212(a)(2)(H)(ii)
- INA 212(a)(2)(H)(iii)
- INA 212(a)(3)(A)
- INA 212(a)(3)(B)
- INA 212(a)(3)(C)
- INA 212(a)(3)(D)
- INA 212(a)(3)(D)(i)
- INA 212(a)(3)(E)
- INA 212(a)(4)(A)
- INA 212(a)(4)(B)
- INA 212(a)(6)
- INA 212(a)(6)(A)
- INA 212(a)(6)(A)(ii)
- INA 212(a)(6)(B)
- INA 212(a)(6)(C)
- INA 212(a)(6)(C)(ii)
- INA 212(a)(6)(C)(ii)(II)
- INA 212(a)(6)(D)
- INA 212(a)(6)(E)
- INA 212(a)(6)(E)(ii)
- INA 212(a)(6)(F)
- INA 212(a)(6)(G)

- INA 212(a)(8)(A)
- INA 212(a)(8)(B)
- INA 212(a)(9)
- INA 212(a)(9)(A)
- INA 212(a)(9)(A)(iii)
- INA 212(a)(9)(B)
- INA 212(a)(9)(B)(i)(I)
- INA 212(a)(9)(B)(i)(II)
- INA 212(a)(9)(B)(ii)
- INA 212(a)(9)(B)(iii)
- INA 212(a)(9)(B)(iii)(I)
- INA 212(a)(9)(B)(iii)(II)
- INA 212(a)(9)(B)(iii)(III)
- INA 212(a)(9)(B)(iii)(IV)
- INA 212(a)(9)(B)(iv)
- INA 212(a)(9)(C)
- INA 212(a)(9)(C)(i)(I)
- INA 212(a)(9)(C)(i)(II)
- INA 212(a)(9)(C)(ii)
- INA 212(d)(11)
- INA 212(d)(12)
- INA 212(g)
- INA 212(g)(1)
- INA 212(g)(1)(A)
- INA 212(g)(1)(B)
- INA 212(g)(1)(C)
- INA 212(h)
- INA 212(i)
- INA 213
- INA 214(l)
- INA 235(b)
- INA 237(a)
- INA 237(a)(1)(A)
- INA 237(a)(5)
- INA 240
- INA 240(b)(5)
- INA 240(b)(7)
- INA 240(c)(2)(A)
- INA 240(c)(2)(B)
- INA 241(a)(5)
- INA 241(b)(3)
- INA 245(a)
- INA 245(i)
- INA 249
- INA 274C
- *Katebi v. Ashcroft*, 396 F. 3d 463 (1st Cir. 2005)
- *Khodagholian v. Ashcroft*, 335 F. 3d 1003 (9th Cir. 2003)
- *Landon v. Plasencia*, 459 US 21, 35 (1982)
- *Lujan-Armendariz v INS*, 222 F. 3d 728 (9th Cir. 2000)
- *Matter of Aldebesheh*, 22 I&N Dec. 983 (BIA 1999)
- *Matter of Davis*, 20 I&N Dec. 536, 541 (BIA 1992)
- *Matter of Del Risco*, 20 I&N Dec. 109 (BIA 1989)
- *Matter of D-L- & A-M-*, 20 I&N Dec. 409 (BIA 1991)
- *Matter of Esqueda*, 20 I&N Dec. 850 (BIA 1994)
- *Matter of Garcia-Hernandez*, 23 I&N Dec. 590 (BIA 2003)
- *Matter of G-Y-R-*, 23 I&N Dec. 181 (BIA 2001)
- *Matter of Hernandez-Ponce*, 19 I&N Dec. 613 (BIA 1988)

- Matter of Huang, 19 I&N Dec. 749 (BIA 1988)
- Matter of M.D., 23 I&N Dec. 540 (BIA 2002)
- Matter of Martinez-Lopez, 10 I&N Dec. 409, 421-22 (AC Jan 6, 1964)
- Matter of Ng, 17 I&N Dec. 536 (BIA 1980)
- Matter of Rico, 16 I&N Dec. 181 (BIA 1977)
- Matter of Roldan, 22 I&N Dec. 512 (BIA 1999)
- Matter of S and B-C-, 9 I&N Dec. 436 (AG 1960)
- Matter of Seda, 17 I&N Dec. 550, 554 (BIA 1980)
- Matter of Shirdel, 19 I&N Dec. 33 (BIA 1984)
- Matter of Tijam, 22 I&N Dec. 408 (BIA 1998)
- Matter of Torres-Garcia, 23 I&N Dec. 866 (BIA 2006)
- Matter of Winter, 12 I&N Dec. 638 (BIA 1968)
- Matter of Y-G-, 20 I&N Dec. 794 (BIA 1994)
- Memo: Aytes, Act. Assoc. Dir. Oper. USCIS, Carpenter, Act. Chief Counsel USCIS, Memo. HQOCC 70/21.1.1.16-P (March 31, 2006) reprinted at 83 Interpreter Releases 33 (August 28, 2006)
- Memo: Pearson, Exec. Assoc. Commr., INS, Memo HQADN 70/21.1.24-P; Subject: "Period of Stay Authorized by the AG for purposes of Section 212(a)(9)(B) of the INA (March 3, 2000)
- Memo: Virtue, Act'g Exec. Assoc. Commr. INS, Memo HQIRT 50/5.12; Subject: "Additional Guidance for Implementing Sections 212(a)(6) and 212(a)(9)," reprinted in 74 Interpreter Release 1046 (July 7, 1997)
- Memo: Virtue, Act'g Exec. Assoc. Commr. INS, Memo HQIRT 50/5.12; Subject: "Implementation of Section 212(a)(6)(A) and 212(a)(9) grounds of inadmissibility" (Mar. 31, 1997) reprinted in 74 Interpreter Release 578 (April 7, 1997)
- Memo: Virtue, Act'g Exec. Assoc. Commr. INS, Memo HQIRT 50/5.12; Subject: "Section 212(a)(9)(B) Relating to Unlawful Presence" (Sept. 19, 1997) reprinted in 74 Interpreter Release 1498 (September 29, 1997)
- Memo: Williams, Exec. Assoc. Commr., Office of Field Operations, INS Mem. HQADN 70/21.1.24-P; Subject: "Unlawful Presence" (June 12, 2002)
- Perez-Gonzales v. Ashcroft, 379 F. 3d 783 (9th Cir. 2004)
- Woodby v. INS, 385 US 276 (1966)
- www.cdc.gov

CHAPTER 4:

- 18 USC 1001
- 18 USC 1015
- 18 USC 1028(b)
- 18 USC 1546
- 18 USC 3607
- 18 USC 911
- 8 CFR 1003.12
- 8 CFR 1003.13
- 8 CFR 1003.14
- 8 CFR 1003.15
- 8 CFR 1003.16
- 8 CFR 1003.17
- 8 CFR 1003.18
- 8 CFR 1003.19
- 8 CFR 1003.20
- 8 CFR 1003.21
- 8 CFR 1003.22
- 8 CFR 1003.23
- 8 CFR 1003.24
- 8 CFR 1003.25
- 8 CFR 1003.26
- 8 CFR 1003.27

- 8 CFR 1003.28
- 8 CFR 1003.29
- 8 CFR 1003.30
- 8 CFR 1003.31
- 8 CFR 1003.32
- 8 CFR 1003.33
- 8 CFR 1003.34
- 8 CFR 1003.35
- 8 CFR 1003.36
- 8 CFR 1003.37
- 8 CFR 1003.38
- 8 CFR 1003.39
- 8 CFR 1003.40
- 8 CFR 1003.41
- 8 CFR 1003.42
- 8 CFR 1003.43
- 8 CFR 1003.44
- 8 CFR 1003.46
- 8 CFR 1003.47
- 8 CFR 1003.61
- 8 CFR 1003.62
- 8 CFR 1003.63
- 8 CFR 1003.64
- 8 CFR 1003.65
- 8 CFR 1239.2(f)
- 8 CFR 1240.1
- 8 CFR 1240.10(e)
- 8 CFR 1240.11
- 8 CFR 1240.12
- 8 CFR 1240.13
- 8 CFR 1240.2
- 8 CFR 1240.3
- 8 CFR 1240.4
- 8 CFR 1240.5
- 8 CFR 1240.6
- 8 CFR 1240.7
- 8 CFR 1240.8
- 8 CFR 1240.8(b)
- 8 CFR 1240.9
- 8 CFR 1287.6(a)
- 8 CFR 1287.6(b)
- 8 CFR 1287.6(c)
- 8 CFR 1287.6(d)
- 8 CFR 214.15
- Beck v. Ohio, 379 US 89 (1964)
- Bilokumsky v. Tod, 263 US 149, 154 (1923)
- Chapman v. US., 365 US 610 (1961)
- Colorado v. Connelly, 479 US 157 (1986)
- Form I-360
- Form N-600
- INA 101(a)(43)
- INA 237
- INA 237(a)(2)(A)(iii)
- INA 237(a)(2)(A)(v)
- INA 240
- INA 240(c)(2)
- INA 240(c)(3)(B)

- INA 240(c)(3)(C)
- INA 252(c)
- INA 264(e)
- INA 265(a)
- INA 266(b)
- INA 274C(e)
- INA 275
- INA 276
- INA 287
- INA 301
- INA 309
- INS v. Delgado, 466 US 210 (1984)
- INS v. Lopez-Mendoza, 468 US 1032 (1984)
- Katebi v. Ashcroft, 396 F. 3d 463 (1st Cir. 2005)
- Khodagholian v. Ashcroft, 335 F. 3d 1003 (9th Cir. 2003)
- Landon v. Plasencia, 459 US 21, 35 (1982)
- Lujan-Armendariz v INS, 222 F. 3d 728 (9th Cir. 2000)
- Matter of Aldebesheh, 22 I&N Dec. 983 (BIA 1999)
- Matter of Amaya-Saenz, A90-897-254 (BIA unpublished dec. Aug. 12, 2005)
- Matter of Barcenas, 19 I&N Dec. 609 (BIA 1988)
- Matter of Benitez, 19 I&N Dec. 173 (BIA 1984)
- Matter of Burgos, 15 I&N Dec. 278 (BIA 1975)
- Matter of Cota-Vargas, 23 I&N Dec. 849 (BIA 2005)
- Matter of Devison, 22 I&N Dec. 1362 (BIA 2000)
- Matter of Fedorenko, 19 I&N Dec. 57 (BIA 1984)
- Matter of Gonzales, 16 I&N Dec. 44 (BIA 1976)
- Matter of Guevara, 20 I&N Dec. 238 (BIA 1991)
- Matter of Gutierrez, 21 I&N Dec. 479 (BIA 1996)
- Matter of Huang, 19 I&N Dec. 749 (BIA 1988)
- Matter of Leyva, 16 I&N Dec. 118 (BIA 1997)
- Matter of Pickering, 23 I&N Dec. 621 (BIA 2003)
- Matter of Ramirez-Rivero, 18 I&N Dec. 135 (BIA 1981)
- Matter of Ramirez-Sanchez, 17 I&N Dec. 503 (BIA 1980)
- Matter of Rodriguez-Tejedor, 23 I&N Dec. 153 (BIA 2001)
- Matter of Roldan, 22 I&N Dec. 512 (BIA 1999)
- Matter of Short, 20 I&N Dec. 136 (BIA 1989)
- Matter of Thomas, 21 I&N Dec. 20, 21 n.1 (BIA 1995)
- Matter of Toro, 17 I&N Dec. 340 (BIA 1980)
- Matter of Winter, 12 I&N Dec. 638 (BIA 1968)
- Memo: Howard, USICE Principal Legal Advisor; Subject: "Exercising Prosecutorial Discretion to Dismiss Adjustment Cases" (Oct. 6, 2005)
- Memo: Meissner, INS Comm'r Memo; Subject: "Exercising Prosecutorial Discretion" (Nov. 17, 2000) reprinted at 77 Interpreter Releases 1673-85 (Dec. 4, 2000)
- Memo: Yates, USCIS Assoc. Dir. Of Operations, Subject: "Assessment of Deferred Action in Requests for Interim Relief from U Nonimmigrant Status Eligible Aliens in Removal Proceedings" (May 6, 2004)
- Montenegro v. Ashcroft, 355 F. 3d 1035 (7th Cir. 2004)
- Payton v. New York, 445 US 573, 589-590 (1980)
- Terry v. Ohio, 392 US 1, 21 (1968)
- US v. Brignoni-Ponce, 422 US 873 (1975)
- US v. Mendenhall, 446 US 544, 554 (1980) (opinion of Stewart, J.)
- US v. Ramos, 12 F. 3d 1019, 1023-1024 (11th Cir. 1994)
- US v. Sullivan, 128 F. 3d 126, 131 (4th Cir. 1998)
- Walter v. US, 447 US 649 (1980)
- Welsh v. Winsconsin, 466 US 740 (1984)
- Woodby v. INS, 385 US 276, 281, 284-85 (1966)

CHAPTER 5:

- "'Arriving Aliens' and Adjustment of Status: What is the Impact of the Government's Interim Rule of May 12, 2006" AILF, July 5, 2006, www.ailf.org
- 8 CFR 103.4(a)(4)
- 8 CFR 103.4(a)(5)
- 8 CFR 103.5
- 8 CFR 1216.1
- 8 CFR 1216.2
- 8 CFR 1216.3
- 8 CFR 1216.4
- 8 CFR 1216.4(a)
- 8 CFR 1216.4(a)(3)
- 8 CFR 1216.4(b)(3)
- 8 CFR 1216.4(c)
- 8 CFR 1216.4(d)
- 8 CFR 1216.4(d)(2)
- 8 CFR 1216.5
- 8 CFR 1216.5(c)
- 8 CFR 1216.5(f)
- 8 CFR 1240.11(a)(2)
- 8 CFR 1240.8(d)
- 8 CFR 1245.1(c)(8)
- 8 CFR 1245.10(a)
- 8 CFR 1245.10(g)
- 8 CFR 1245.13
- 8 CFR 1245.13(d)(1)
- 8 CFR 1245.13(d)(2)
- 8 CFR 1245.13(d)(3)
- 8 CFR 1245.13(d)(3)(i)
- 8 CFR 1245.13(d)(4)(i)
- 8 CFR 1245.13(h)
- 8 CFR 1245.13(l)
- 8 CFR 1245.13(m)
- 8 CFR 1245.15
- 8 CFR 1245.15(g)(1)
- 8 CFR 1245.15(g)(2)
- 8 CFR 1245.15(g)(3)
- 8 CFR 1245.15(p)(4)
- 8 CFR 1245.15(p)(4)(ii)
- 8 CFR 1245.15(r)
- 8 CFR 1245.2(a)(1)
- 8 CFR 1245.21
- 8 CFR 1245.21(c)
- 8 CFR 1245.21(d)(4)
- 8 CFR 1249.2(a)
- 8 CFR 216.1
- 8 CFR 216.2
- 8 CFR 216.3
- 8 CFR 216.4
- 8 CFR 216.4(a)
- 8 CFR 216.4(a)(3)
- 8 CFR 216.4(a)(6)
- 8 CFR 216.4(b)(3)
- 8 CFR 216.4(c)
- 8 CFR 216.4(d)

- 8 CFR 216.4(d)(2)
- 8 CFR 216.5
- 8 CFR 216.5(c)
- 8 CFR 216.5(f)
- 8 CFR 245.1(c)(8)
- 8 CFR 245.10(a)
- 8 CFR 245.10(g)
- 8 CFR 245.13
- 8 CFR 245.13(d)(1)
- 8 CFR 245.13(d)(2)
- 8 CFR 245.13(d)(3)
- 8 CFR 245.13(d)(3)(i)
- 8 CFR 245.13(d)(4)(i)
- 8 CFR 245.13(h)
- 8 CFR 245.13(i)(1)
- 8 CFR 245.13(l)
- 8 CFR 245.13(m)
- 8 CFR 245.15
- 8 CFR 245.15(g)(1)
- 8 CFR 245.15(g)(2)
- 8 CFR 245.15(g)(3)
- 8 CFR 245.15(o)(1)
- 8 CFR 245.15(o)(2)
- 8 CFR 245.15(o)(3)
- 8 CFR 245.15(p)(4)
- 8 CFR 245.15(r)
- 8 CFR 245.2(a)(1)
- 8 CFR 245.21
- 8 CFR 245.21(c)
- 8 CFR 245.21(d)
- 8 CFR 245.21(d)(4)
- 8 CFR 249.2(a)
- Bona v. Gonzales, 425 F. 3d 663 (9th Cir. 2005)
- Form G-28
- Form G-325A
- Form I-130
- Form I-131
- Form I-360
- Form I-485
- Form I-485A
- Form I-693
- "I-140 Portability for Employment-Based Adjustment Applicants in Removal Proceedings: Strategies for Challenging Matter of Perez-Vargas" AILF, July 10, 2006, www.ailf.org
- INA 101(a)(13)(C)
- INA 101(a)(19)
- INA 101(f)
- INA 204(g)
- INA 204(j)
- INA 209
- INA 212(a)(5)
- INA 212(a)(9)
- INA 212(a)(9)(A)
- INA 212(a)(9)(B)
- INA 212(a)(9)(C)
- INA 216
- INA 237(a)(4)(B)
- INA 240A

- INA 240B(d)
- INA 241(a)(5)
- INA 245
- INA 245(a)
- INA 245(c)
- INA 245(e)
- INA 245(i)
- INA 245(i)(1)
- INA 249
- INA 314
- INA 315(a)
- Matter of Arai, 13 I&N Dec. 494 (BIA 1970)
- Matter of Arthur, 20 I&N Dec. 475 (BIA 1992)
- Matter of Artigas, 23 I&N Dec. 99 (BIA 2001)
- Matter of Garcia, 16 I&N Dec. 653 (BIA 1978)
- Matter of H-A-, 22 I&N Dec. 728 (BIA 1999)
- Matter of Harrison, 13 I&N Dec. 540 (Dist. Dir. 1970)
- Matter of Lettman, 11 I&N Dec. 878 (Reg. Comm'r 1966)
- Matter of Mendez, 21 I&N Dec. 296 (BIA 1996)
- Matter of Outin, 14 I&N Dec. 6 (BIA 1972)
- Matter of Perez-Vargas, 23 I&N Dec. 829 (BIA 2005)
- Matter of Rainford, 20 I&N Dec. 598 (BIA 1992)
- Matter of Sanchez-Linn, 20 I&N 362 (BIA 1991)
- Matter of Shaar, 21 I&N Dec. 541 (BIA 1996)
- Matter of Velarde, 23 I&N Dec. 253 (BIA 2002)
- Matter of Villarreal-Zuniga, 23 I&N Dec. 886 (BIA 2006)
- Memo: Bach, Exec. Assoc. Commr., Office of Policy and Programs, INS, Memo HQ 70/23.1-P, HQ 70/8-P; Subject: "Accepting Applications for Adjustment of Status Under Section 245(i) of the Immigration and Nationality Act" (June 10, 1999)[reprinted in 76 Interpreter Releases 1028 (July 2, 1999)]
- Memo: Howard, USICE Principal Legal Advisor; Subject: "Exercising Prosecutorial Discretion to Dismiss Adjustment Cases" (Oct. 6, 2005)
- Memo: Yates, Associate Director for Operations, USCIS, Memo HQ OPRD 70/23.1; Subject: "Clarification of Certain Eligibility Requirements Pertaining to an Application to Adjust Status under Section 245(i) of the Immigration and Nationality Act," (March 9, 2005)
- Momin v. Gonzales, 447 F. 3d 447 (5th Cir. 2006)
- Mouelle v. Gonzales, 416 F. 3d 923 (8th Cir. 2005)
- Scheerer v. US Atty. General, 445 F. 3d 1311 (11th Cir. 2006)
- Succar v. Ashcroft, 294 F. 3d 8 (1st Cir. 2005)
- Zheng v. Gonzales, 422 F. 3d 98 (3rd Cir. 2005)

CHAPTER 6:

- 8 CFR 1003.1(b)
- 8 CFR 1212.2(h)
- 8 CFR 1212.7(d)
- 8 CFR 1240.1(a)(ii)
- 8 CFR 1240.11(a)(2)
- 8 CFR 1240.20(c)
- 8 CFR 1240.58(c)
- 8 CFR 212.2(d)
- 8 CFR 212.2(e)
- 8 CFR 212.2(h)
- 8 CFR 212.2(i)
- 8 CFR 212.7(d)
- 8 USC 1641(b)
- 8 USC 1641(c)

- "Applying for Adjustment of Status After Reentering the United States Without Being Admitted: I-212s, 245(i) and VAWA 2005," June 5, 2006, available online at www.aifl.org/lac
- Department of State, Cable No. 98-State-060539 (April 4, 1998) concerning P.L. 104-208 Update No. 36: 212(a)(6)(A) and (B) reprinted at 75 Interpreter Releases 543 (April 20, 1998)
- Form I-130 visa petition
- Form I-212
- Form I-601
- Form I-602
- Form I-693
- INA 203(a)(7)
- INA 209(c)
- INA 212
- INA 212(a)(2)(E)
- INA 212(a)(6)(C)(i)
- INA 212(a)(6)(C)(ii)(II)
- INA 212(a)(9)
- INA 212(a)(9)(A)
- INA 212(a)(9)(A)(iii)
- INA 212(a)(9)(B)
- INA 212(a)(9)(B)(iv)
- INA 212(a)(9)(B)(v)
- INA 212(a)(9)(C)
- INA 212(d)(3)
- INA 212(g)
- INA 212(g) waiver
- INA 212(g)(1)
- INA 212(g)(1)(A)
- INA 212(g)(1)(B)
- INA 212(g)(1)(C)
- INA 212(g)(2)(A)
- INA 212(g)(2)(B)
- INA 212(g)(2)(C)
- INA 212(g)(3)
- INA 212(h)
- INA 212(h)(1)(A)
- INA 212(h)(1)(B)
- INA 212(h)(1)(C)
- INA 212(i)
- INA 237(a)(1)(A)
- INA 237(a)(1)(H)
- INA 237(a)(2)(A)(i)
- INA 237(a)(2)(B)
- INA 237(a)(2)(E)(i)
- INA 237(a)(3)(C)(ii)
- INA 237(a)(7)
- INA 244(c)(2)
- INA 245
- INA 245(h)
- INA 245(l)
- INA 245(m)
- *INS v. Wang*, 450 US 139 (1982)
- *Matter of Anderson*, 16 I&N Dec. 596 (BIA 1978)
- *Matter of Balao*, 20 I&N Dec. 440 (BIA 1992)
- *Matter of Cervantes*, 22 I&N Dec. 560 (BIA 1999)
- *Matter of Correa*, 19 I&N Dec. 130 (BIA 1984)
- *Matter of C-V-T-*, 22 I&N Dec. 227 (BIA 1998)
- *Matter of Ducret*, 15 I&N Dec. 620 (BIA 1976)

- Matter of Guang Li Fu, 23 I&N Dec. 985 (BIA 2006)
- Matter of H-N-, 22 I&N Dec. 1039 (BIA 1999)
- Matter of Ige, 20 I&N Dec. 880 (BIA 1994)
- Matter of Jean, 23 I&N Dec. 373 (A.G. 2002)
- Matter of Kao and Lin, 23 I&N Dec. 45 (BIA 2001)
- Matter of Kim, 15 I&N Dec. 88 (BIA 1974)
- Matter of Lee, 17 I&N Dec. 275 (BIA 1978)
- Matter of L-O-G-, 21 I&N Dec. 413 (BIA 1996)
- Matter of Marin, 16 I&N Dec. 581 (BIA 1978)
- Matter of Mendez, 21 I&N Dec. 296 (BIA 1996)
- Matter of Monreal, 23 I&N Dec. 56 (BIA 2001)
- Matter of O-J-O-, 21 I&N Dec. 381 (BIA 1996)
- Matter of Pilch, 21 I&N Dec. 627 (BIA 1996)
- Matter of Tijam, 22 I&N Dec. 408 (BIA 1998)
- Matter of Tin, 14 I&N Dec. 371 (Reg'l Commr. 1971)
- Matter of Torres-Garcia, 23 I&N Dec. 866 (BIA 2006)
- Memo: Aytes, Act. Assoc. Dir. Oper. USCIS, Carpenter, Act. Chief Counsel USCIS, HQOCC 70/21.1.1.16-P (March 31, 2006) reprinted at 83 Interpreter Releases 33 (August 28, 2006)
- Memo: Virtue, INS General Counsel, HQ 90/15-P, HQ 70/8-P; Subject: "Extreme Hardship and Documentary Requirements Involving Battered Spouses and Children at 4," (Oct. 16, 1998)[reprinted in 76 Interpreter Releases 162 (Jan. 25, 1999)]
- Memo: Virtue, Act'g. Exec. Assoc. Comm'r., Programs, INS, HQ 50/5/12, 96 Act 027; Subject: "New Vaccination Requirements at 3," (April 10, 1997) [reprinted in 74 Interpreter Releases 660 (April 21, 1997)][Virtue, Apr. 10, 1997, vaccinations memo]
- Memo: Virtue, Act'g. Exec. Assoc. Comm'r., Programs, HQIRT 50.5.12, 96 Act. 055; Subject: "Vaccination Requirements under Section 212(a)(1)(A)(ii) of the Act," (Sept. 29, 1997)[reprinted at 74 Interpreter Releases 1687 (Nov. 3, 1997)]
- Perez-Gonzales v. Ashcroft, 379 F. 3d 783 (9th Cir. 2004)
- www.asylumlaw.org
- www.findlaw.com
- www.nationalimmigrationproject.org
- Yeung v. INS, 76 F. 3d 337 (11th Cir. 1995)

Chapter 7:

- 8 CFR 1003.44
- 8 CFR 1212.3(g)
- Armendariz-Montoya v. Sonchik, 291 F. 3d 1116 (9th Cir. 2002)
- Chambers v. Reno, 307 F. 3d 284 (4th Cir. 2002)
- DeCardenas v. Reno, 278 F. Supp. 2d 284 (D. Conn. 2003)
- "Defense Strategies for Applying for Section 212(c) relief in light of Matter of Blake," by Katherine Brady and Joseph Justin
- Rollin, available online at www.ilrc.org.
- Form EOIR 42A
- Form G-325 Biographic Information
- Form I-191
- Gomes v. Ashcroft, 311 F. 3d 43 (1st Cir. 2002)
- Hartman v. Elwood, 255 F. Supp. 2d 510 (E.D.P.A. 2003)
- INA 101(a)(20)
- INA 101(a)(33)
- INA 101(a)(43)
- INA 101(a)(48)(A)
- INA 101(a)(48)(B)
- INA 209(a)(2)
- INA 209(b)
- INA 212(a)(2)
- INA 212(a)(2)(A)(ii)

- INA 212(c)
- INA 237(a)(2)
- INA 237(a)(4)
- INA 240A(a)
- INS v. St. Cyr, 533 US 289 (2001)
- Matter of Azurin, 23 I&N Dec. 695 (BIA 2005)
- Matter of Blake, 23 I&N Dec. 722 (BIA 2005)
- Matter of Blancas-Lara, 23 I&N Dec. 458 (BIA 2002)
- Matter of Brieva, 23 I&N Dec. 766 (BIA 2005)
- Matter of Cisneros-Gonzales, 23 I&N Dec. 668 (BIA 2004)
- Matter of Cota-Vargas, 23 I&N Dec. 849 (BIA 2005)
- Matter of C-V-T-, 22 I&N Dec. 7 (BIA 1998)
- Matter of Deanda-Romo, 23 I&N Dec. 597 (BIA 2003)
- Matter of Esposito, 21 I&N Dec. 1 (BIA 1995)
- Matter of Garcia-Hernandez, 23 I&N Dec. 590 (BIA 2003)
- Matter of Jurado, 24 I&N Dec. 29 (BIA 2006)
- Matter of Koloamatangi, 23 I&N Dec. 548 (BIA 2003)
- Matter of Marin, 16 I&N Dec. 591 (BIA 1978)
- Matter of Mendoza-Sandino, 22 I&N Dec. 1236 (BIA 2000)
- Matter of Meza, 20 I&N Dec. 257 (BIA 1991)
- Matter of Perez, 22 I&N Dec. 689 (BIA 1999)
- Matter of Soriano, 21 I&N Dec. 516 (BIA 1996)
- Okeke v. Gonzales, 407 F. 3d 585 (3rd Cir. 2005)
- Ponnappula v. Ashcroft, 373 F. 3d 480 (3d Cir. 2004)
- Restrepo v. McElroy, 369 F. 3d 627 (2nd Cir. 2004)
- Thom v. Ashcroft, 369 F. 3d 158 (2d Cir. 2004)
- Toia v. Fasano, 334 F. 3d 917 (9th Cir. 2003)

CHAPTER 8:

- 61 Fed. Reg. 13065 (March 26, 1996)
- 61 Fed. Reg. 13066 (March 26, 1996)
- 8 CFR 1003.23(b)(3)
- 8 CFR 204.2(c)(1)(vi)
- 8 CFR 204.2(c)(1)(vii)
- 8 CFR 240.21(c)
- 8 CFR 240.58
- 8 CFR 240.60
- 8 CFR 240.61
- 8 CFR 240.62
- 8 CFR 240.63
- 8 CFR 240.64
- 8 CFR 240.65
- 8 CFR 240.66
- 8 CFR 240.67
- 8 CFR 240.68
- 8 CFR 240.69
- 8 CFR 240.70
- Albillo-DeLeon v. Gonzales, No. 02-70246, 2005 WL 1345565 at 7 (9th Cir. June 8, 2005)
- Anin v. Reno, 188 F. 3d 1273, 1279 (11th Cir. 1999)
- Belay-Gebru v. INS, 327 F. 3d 998 (10th Cir. 2003)
- Enriquez-Alvarado v. Ashcroft, 371 F. 3d 246, 248 (5th Cir. 2004)
- Form I-881
- Hernandez v. Ashcroft, 345 F. 3d 824 (9th Cir. 2004)
- INA 101(a)(43)
- INA 101(f)
- INA 212(a)(2)

- INA 212(a)(2)(A)(ii)
- INA 212(a)(2)(e)
- INA 212(a)(3)
- INA 212(a)(6)(E)
- INA 212(c) waiver
- INA 212(h)(1)
- INA 212(i)(1)
- INA 237(a)(1)
- INA 237(a)(1)(G)
- INA 237(a)(2)
- INA 237(a)(2)(E)
- INA 237(a)(2)(E)(i)
- INA 237(a)(2)(E)(ii)
- INA 237(a)(3)
- INA 237(a)(4)
- INA 237(a)(7)
- INA 239(a)
- INA 240A
- INA 240A(b)
- INA 240A(b)(1)
- INA 240A(b)(2)
- INA 240A(b)(2)(A)(iv)
- INA 240A(c)
- INA 240A(d)
- INA 240A(d)(1)
- INA 240A(d)(2)
- INA 240A(e)(1)
- INA 241(a)(2)
- INA 241(a)(3)
- INA 241(a)(4)
- INA 241(a)(5)
- INA 244(a)
- INA 244(a)(1)
- INS v. Wang, 450 US 139 (1982)
- Luis v. INS, 196 F. 3d 36, 40 (1st Cir. 1999)
- Matter of Andazola, 23 I&N Dec. 319 (BIA 2002)
- Matter of Anderson, 16 I&N Dec. 596 (BIA 1978)
- Matter of Avilez-Nava, 23 I&N 799 (BIA 2005)
- Matter of Bautista-Gomez, 23 I&N 893 (BIA 2006)
- Matter of Cisneros-Gonzales, 23 I&N Dec. 668 (BIA 2004)
- Matter of Deanda-Romo, 23 I&N Dec. 597 (BIA 2003)
- Matter of Garcia-Hernandez, 23 I&N Dec. 590 (BIA 2003)
- Matter of Kao and Lin, 23 I&N Dec. 45 (BIA 2001)
- Matter of Monreal, 23 I&N Dec. 56 (BIA 2001)
- Matter of N-J-B-, 21 I&N Dec. 812 (BIA 1997)
- Matter of O-J-O-, 21 I&N Dec. 381 (BIA 1996)
- Matter of Ortega-Cabrera, 23 I&N Dec. 793 (BIA 2005)
- Matter of Pilch, 21 I&N Dec. 627 (BIA 1996)
- Matter of Recinas, 23 I&N Dec. 467 (BIA 2002)
- Matter of Romalez, 23 I&N Dec. 423 (BIA 2002)
- Memo: Aleinikoff, Office of Programs; Subject: "Implementation of Crime Bill Self-Petitioning for Abused or Battered Spouses or Children of U.S. Citizens or Lawful Permanent Residents," dated April 16, 1996 (found at 73 Interpreter Releases, No. 21, p. 737, May 24, 1996)
- Memo: Virtue, General Counsel; Subject: "Extreme Hardship and Documentary Requirements Involving Battered Spouses and Children," dated October 16, 1998 (found in 76 Interpreter Releases, No. 4, p. 162 (Jan. 25, 1999))

- Memo: Yates, Associate Dir. Oper.; Subject: "Determinations of Good Moral Character in VAWA-Based Self-Petitions," dated Jan. 19, 2005
- Morales-Morales v. Ashcroft, 384 F. 3d 418 (7th Cir. 2004)
- Okeke v. Gonzales, 407 F. 3d 585 (3rd Cir. 2005)

CHAPTER 9:

- 8 CFR 1003.2
- 8 CFR 1003.23
- 8 CFR 208.13(b)(1)(i)
- 8 CFR 208.13(b)(3)(ii)
- 8 CFR 208.16(c)(2)
- 8 CFR 208.16(e)
- 8 CFR 208.17
- 8 CFR 208.18
- 8 CFR 208.4(a)(5)
- DaSilva v. Ashcroft, 394 F. 3d a (1st Cir. 2006)
- Fisher v. INS, 37 F. 3d 1371 (9th Cir. 1994)
- Fisher v. INS, 61 F. 3d 1366 (9th Cir. 1995)
- Fisher v. INS, 79 F. 3d 955 (9th Cir. 1996)
- Gao v. Gonzales, 440 F. 3d 62 (2nd Cir. 2006)
- Gebremichael v. INS, 10 F. 3d 28 (1st Cir. 1993)
- <http://cgrs.uchastings.edu>
- In Re Y-L-, In Re A-G-, In Re R-S-R-, 23 I&N Dec. 270 (AG 2002)
- INA 101(a)(42)
- INA 101(a)(43)
- INA 207(a)(5)
- INA 208(b)(1)(B)(i)
- INA 208(b)(1)(B)(ii)
- INA 208(b)(1)(B)(iii)
- INA 208(b)(2)(A)
- INA 208(b)(2)(A)(v)
- INA 209(a)
- INA 212(a)(2)(A)(i)(I)
- INA 212(a)(3)(B)
- INA 212(a)(3)(B)(i)(II)
- INA 212(a)(3)(B)(iv)(VI)
- INA 235(b)(1)(B)(iii)(1)
- INA 235(c)
- INA 238(b)
- INA 241(a)(3)(B)(iv)
- INA 241(a)(5)
- INA 241(b)(3)
- INA 241(b)(3)(B)
- INA 241(b)(3)(B)(ii)
- INA 241(b)(3)(B)(iv)
- Matter of Acosta, 19 I&N Dec. 211 (BIA 1985)
- Matter of A-H-, 23 I&N 774 (AG 2005)
- Matter of C-A-, 23 I&N Dec. 951 (BIA 2006)
- Matter of Chang, 20 I&N Dec. 38 (BIA 1989)
- Matter of G-A-, 23 I&N Dec. 366 (BIA 2002)
- Matter of G-C-L-, 23 I&N Dec. 359 (BIA 2002)
- Matter of H-, 21 I&N Dec. 337 (BIA 1996)
- Matter of J-E-, 23 I&N Dec. 291 (BIA 2002)
- Matter of Jean, 23 I&N Dec. 373 (A.G. 2002)
- Matter of J-F-F-, 23 I&N Dec. 912 (BIA 2006)
- Matter of Kasinga, 21 I&N Dec. 357 (BIA 1996)

- Matter of Pula, 19 I&N Dec. 467 (BIA 1987)
- Matter of S-K-, 23 I&N Dec. 936 (BIA 2006)
- Matter of S-P-, 21 I&N Dec. 486 (BIA 1996)
- Matter of Toboso-Alfonso, 20 I&N Dec. 819 (BIA 1990)
- Matter of U-H-, 23 I&N Dec. 355 (BIA 2002)
- Matter of X-G-W-, 22 I&N Dec. 71 (BIA 1998)
- Matter of Y-C-, 23 I&N Dec. 286 (BIA 2002)
- Real ID resources and updates available from AILF at http://www.ailf.org/lac/lac_resources.shtml
- Sepulveda v. US AG 378 F. 3d 1260 (11th Cir. 2005)
- "The U.S. Canada Safe Third Country Agreement: Is It Safe for Refugees?" By Mark von Sternberg, Immigration Law Today, April/May 2005, AILA Infonet 05042562.

CHAPTER 10:

- 8 CFR 1240.26
- 8 CFR 1240.26(b)(3)
- 8 CFR 1240.26(c)(3)
- 8 CFR 1240.26(f)
- 8 CFR 240.25
- 8 CFR 240.26
- American Immigration Lawyers' Practice Advisory entitled "Failure to Depart After a Grant of Voluntary Departure: The Consequences and Arguments to Avoid them" (Feb 21, 2006) found at http://www.ailf.org/lac/lac_pa_index.shtml
- American Immigration Lawyers' Practice Advisory entitled "Protecting Voluntary Departure During Court of Appeals Review" (Oct 25, 2005) found at http://www.ailf.org/lac/lac_pa_index.shtml
- American Immigration Lawyers' Practice Advisory entitled "Staying The Voluntary Departure Period When Filing A Motion To Reopen or Reconsider" amended Dec. 16, 2005 available at+A1004 http://www.ailf.org/lac/lac_pa_index.shtml. See also 83 Interpreter Releases 33 (Aug. 28, 2006)
- Azarte v. Ashcroft, 394 F. 3d 1278 (9th Cir. 2005)
- Banda-Ortiz v. Gonzales, 445 F. 3d 387 (5th Cir. 2006)
- Barrios v. Attorney General, 399 F. 3d 272 (3rd Cir. 2005)
- Dekoladenu v. Gonzales, 2006 WL 2382523 (4th Cir. Aug. 18, 2006)
- INA 212(a)(9)(A)
- INA 235(a)(4)
- INA 237(a)(2)(A)(iii)
- INA 237(a)(4)(B)
- INA 240A
- INA 240B
- INA 240B(a)(4)
- INA 240B(d)
- INA 245
- Kanivets v. Gonzales, 424 F. 3d 330 (3rd Cir. 2005)
- Matter of A-M-, 23 I&N Dec. 737 (BIA 2005)
- Matter of Arguelles, 22 I&N Dec. 811 (BIA 1999)
- Matter of Patel, 19 I&N Dec. 394 (BIA 1986)
- Matter of Shaar, 21 I&N Dec. 541 (BIA 1996)
- Matter of Velarde, 23 I&N Dec. 253 (BIA 2002)
- Sidikhouya v. Gonzales, 407 F. 3d 950 (8th Cir. 2005)
- Ugokwe v. US Attorney General, 453 F. 3d 1325 (11th Cir. 2006)

CHAPTER 11

- 8 CFR 1239.2(f)
- Form N-400
- INA 101(f)

- INA 212(c)
- INA 237
- INA 310(c)
- INA 312
- INA 313
- INA 314
- INA 315
- INA 316
- INA 317
- INA 318
- INA 319
- INA 320
- INA 321
- INA 322
- INA 323
- INA 324
- INA 325
- INA 326
- INA 327
- INA 328
- INA 329
- INA 330
- INA 331
- INA 332
- INA 333
- INA 334
- INA 335
- INA 336
- INA 337
- Memo: Meissner, INS Comm'r; Subject: "Exercising Prosecutorial Discretion" (Nov. 17, 2000)
reprinted at 77 Interpreter Releases 1673-85 (Dec. 4, 2000)

CHAPTER 12:

- 8 CFR 1003.1(d)(2)
- 8 CFR 1003.1(e)(4)
- 8 CFR 1003.2
- 8 CFR 1003.2(b)
- 8 CFR 1003.2(c)
- 8 CFR 1003.2(c)(1)
- 8 CFR 1003.2(c)(2)
- 8 CFR 1003.2(c)(3)
- 8 CFR 1003.2(c)(3)(i)
- 8 CFR 1003.2(c)(3)(ii)
- 8 CFR 1003.2(c)(3)(iii)
- 8 CFR 1003.2(f)
- 8 CFR 1003.23
- 8 CFR 1003.23(b)
- 8 CFR 1003.23(b)(2)
- 8 CFR 1003.23(b)(3)
- 8 CFR 1003.23(b)(4)(i)
- 8 CFR 1003.23(b)(4)(ii)
- 8 CFR 1003.23(b)(4)(iii)(A)
- 8 CFR 1003.23(b)(4)(iv)
- 8 CFR 1003.3(a)
- 8 CFR 1003.3(b)
- 8 CFR 1003.3(c)(1)

- American Immigration Law Foundation's Practice Advisory entitled "Affirmance Without Opinion": What Federal Court Challenges Remain?" (April 27, 2005), available online at http://www.aifl.org/lac/lac_pa_chrono.shtml
- *Esponda v. United States A.G.* 453 F. 3d 1319 (11th Cir. 2006)
- Form EOIR 27 (Notice of Appearance before the BIA)
- Form EOIR 28 (Notice of Appearance before the Immigration Court)
- Form EOIR 33
- INA 239(a)
- INA 239(a)(1)
- INA 239(a)(1)(F)
- INA 239(a)(2)
- INA 240(b)(5)
- INA 240(b)(5)(B)
- INA 240(b)(7)
- INA 240(c)(5)
- INA 240(c)(6)
- INA 245
- INA 265(a)
- *Matter of G-Y-R-*, 23 I&N Dec. 181 (BIA 2001)
- *Matter of Liadov*, 23 I&n Dec. 990 (BIA 2006)
- *Matter of M-D-*, 23 I&N Dec. 540 (BIA 2002)
- *Matter of M-S-*, 22 I&N Dec. 349 (BIA 1998)
- Memo: Cooper, General Counsel; Subject: "Motions to Reopen for Consideration of Adjustment of Status," (May 17, 2001)
- www.usdoj.gov/eoir

CHAPTER 13:

- 28 USC 1361
- 28 USC 1651
- 28 USC 2201
- 28 USC 2241
- American Immigration Law Foundation's Legal Action Center entitled "Federal Court Decisions Regarding the "Discretionary Decisions" Bar to Judicial Review in Non-removal Contexts" at http://www.aifl.org/lac/lac_pa_011905.pdf
- *Calcano-Martinez v. INS*, 121 S. Ct. 2268 (2001)
- *Ex parte Yerger*, 8 Wall 85, 102 (1869)
- *Hernandez v. Gonzales*, 424 F. 3d 42 (1st Cir. 2005)
- INA 207(a)(5)
- INA 208
- INA 208(a)
- INA 212(a)(2)
- INA 212(a)(9)
- INA 212(h)
- INA 212(i)
- INA 216
- INA 235
- INA 235(b)(1)
- INA 237(a)(2)(A)(ii)
- INA 237(a)(2)(A)(iii)
- INA 237(a)(2)(B)
- INA 237(a)(2)(C)
- INA 237(a)(2)(D)
- INA 238(b)
- INA 238(c)
- INA 238(c)(1)
- INA 238(c)(3)

- INA 240
- INA 240A
- INA 240B
- INA 242
- INA 242(a)(2)(A)
- INA 242(a)(2)(B)(i)
- INA 242(a)(2)(B)(ii)
- INA 242(a)(2)(C)
- INA 242(b)(4)(D)
- INA 242(b)(5)(A)
- INA 242(b)(5)(B)
- INA 242(b)(7)(A)
- INA 242(e)
- INA 242(e)(2)
- INA 242(e)(4)
- INA 242(g)
- INA 243(a)
- INA 245
- *INS v. St. Cyr*, 121 S. Ct. 2271 (2001)
- *Reno v. American-Arab Anti-Discrimination Committee*, 525 US 471 (1999)
- *Rosales v. BICE*, AILA InfoNet Doc. No. 05100763 (posted Oct. 7, 2005)(5th Cir. 2005)

ILW.COM ORDER FORM

For a complete listing of resources available from ILW.COM, please visit www.ilw.com

Name: _____ City/State/Zip: _____
 Firm: _____ Email: _____
 Address: _____ Phone: _____
 _____ Fax: _____

Title	Price	Qty	Total
The H1-B Book 2008 – 2009 Edition – Editor: Karen Weinstock	\$499		
The PERM Book 2008-2009 Edition - Editor: Joel Stewart	\$499		
Child Status Protection Act by Charles Wheeler	\$199		
Family-based Immigration: A Practitioner's Guide - Editor: Charles Wheeler	\$199		
Relief From Removal: A Definitive Manual For Winning Cases 2007-2008 – Editor: Jill Sheldon	\$199		
Crimes & Immigration: A Definitive Manual For Winning Cases 2007-2008 – Editor : Jill Sheldon	\$199		
The Nurse Immigration Book 2007-2008 Edition - Editors: Joseph P. Curran and Dan H. Berger	\$499		
Immigration Practice 2008-2009 Edition by Robert C. Divine	\$225		
The Whole Act 2008-2009 Edition by P.J. Patel	\$199		
20/22/28 CFR Plus 2008-2009 Edition by P.J. Patel	\$99		
8CFR Plus 2008-2009 Edition by P.J. Patel	\$99		
Patel’s Citations 2008-2009 Edition by P.J. Patel	\$199		
Patel’s Immigration Law Library 2008-2009 Edition by P.J. Patel (Includes 20/22/28 CFR Plus, 8 CFR Plus, The Whole Act & Patel’s Citations)	\$499		
DVD - Solving Complex Immigration Challenges While Super-Charging Your Career and Your Law Firm Workshop	\$499		
DVD - Nuts And Bolts Of The Immigration Process Workshop	\$499		
DVD - Fighting Crime: A Workshop for Immigration Lawyers	\$499		

PAYMENT INFORMATION

Check Enclosed or Charge my: MC Visa AmEx Discover
 Check must be Payable to ILW.COM in US dollars, payable to a US institution

Name on Credit Card: _____
 Card Number: _____
 Exp. Date: _____
 Signature: _____
 Billing Address if different from Shipping: _____

Total Number of Items to be Shipped: _____ Total Due \$ _____

TO ORDER, CONTACT ILW.COM AT:

Phone: 212-545-0818 Online: www.ilw.com or www.ilw.com/workshops
 Mail: P.O Box 1830, New York, NY 10156 Fax: 212-545-0869

For orders outside the US, to order by Email or questions please write to webmaster@ilw.com