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123 Pro Bono Street
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DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
NEW YORK, NEW YORK

	)	
	)	**File No.: A 000-000-000**
In the Matter of:	)	IN REMOVAL PROCEEDINGS
	)	
Catherine CLIENT	)	
	)	
	)	
	)	

Immigration Judge Wiseman **Next Hearing: January 1, 20XX, 8:30 AM**

MOTION FOR CONTINUANCE

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RESPONDENT'S MOTION TO CONTINUE

Pursuant to 8 C.F.R. §1003.29, Respondent, Catherine Client, through counsel, Andrea Attorney, Esq., hereby moves this Court to continue her Master Calendar, currently scheduled for January 1, 20XX, (*See* copy of Notice of Hearing at Exhibit B) to a date no earlier than January 2016, to allow for the adjudication of her pending Petition for Family Member of U-1 Recipient on Form I-918A (*aka* Petition for a U Visa Derivative).

I. PROCEDURAL HISTORY

Ms. Catherine Client, now 16, entered the United States on or about July 07, 20XX. She was detained by immigration authorities, and released into the care of her mother, Client Mother (*See* birth certificate of Respondent, with translation and affidavit of translation, at Exhibit C).

On November 27, 20XX, Respondent's mother, through counsel, filed a Petition for U Nonimmigrant Status (*aka* U visa) on Form I-918 with the United States Citizenship and

Immigration Service (USCIS), along with a Petition for Qualifying Family Member of U-1 Recipient on behalf of Respondent. (*See* USCIS Notices of Action on form I-797C at Exhibit D).

On September 10, 20XX, at a Master Calendar hearing, counsel for Respondent advised the Court that USCIS had not yet issued a decision on the case, and the Court granted a continuance. The Court advised Counsel to request an additional continuance if USCIS had not issued a decision prior to the upcoming Master Calendar hearing.

II. REQUEST FOR CONTINUANCE

A motion for continuance may be granted for good cause shown. 8 C.F.R. § 1003.29. Respondent requests a continuance of her hearing to allow for USCIS adjudication of her pending Petition for Qualifying Family Member of U-1 Recipient.

Under the provisions of INA§101(a)(15)(U), USCIS may issue U nonimmigrant status/visas to only 10,000 principal applicants each year. Issuance of these begins on October 1 of each year, and for the two past years, all 10,000 available statuses/visas have been exhausted by early December. (*See* USCIS announcement on U Visa approvals of December 11, 2014 at Exhibit D).

Although, as all available U statuses/visas for Fiscal year 2014-15 have been exhausted, no decision on Respondent's case will be received prior to October 1, 20XX, USCIS is expected to issue a decision on Respondent's case between October 1, 20XX and December 31, 20XX. Hence, Respondent hereby requests that Respondent's upcoming January 1, 20XX hearing be adjourned to an available date in January 20XX, so as to allow sufficient time for the adjudication of her Petition for Family member of U-1 Recipient on Form I-918A.

The Office of the Chief Counsel would not suffer any prejudice as the result of this request.

WHEREFORE, Respondent requests that this Court grant her Motion to Continue.

Date: October __, 20XX By: _____

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E	USCIS announcement on U Visa approvals of December 11, 2014	