

Your Name
Your Facility Name
Your Facility Address

DETAINED

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT**

CITY, STATE

← **NOTE:** Write the city and state of the court you are filing the motion with, for example: MIAMI, FLORIDA. Or if you are filing with the Board of Immigration Appeals, BOARD OF IMMIGRATION APPEALS, FALLS CHURCH, VIRGINIA

In the Matter of:

)

)

Your Name

)

)

)

In Removal Proceedings

)

Your A# XXX-XXX-XXX

Hon. Immigration Judge: Judge Name

Next Hearing: None

RESPONDENT'S PRO SE MOTION TO REOPEN PROCEEDINGS DUE TO NEW EVIDENCE

I, (your name), proceeding pro se, respectfully request for this Court to reopen my immigration case. In support of this motion, I state the following:

NOTE: This sample is meant as a guideline of how you can present your motion to the Court. The **bolded** words are suggested language. It is important that the motion be in your own words and that you present your own argument so that you can speak to the judge about the motion if necessary.

1. If you have received new evidence after your individual hearing, AND THAT EVIDENCE WAS NOT AVAILABLE AT THE TIME OF THAT HEARING, you will need to say what the evidence is, when and how you received it, why you could not have received it before your individual hearing, and why this new evidence is SO IMPORTANT THAT IT COULD CHANGE THE DECISION IN YOUR CASE. You must include copies of all new evidence, so the court can review it to determine if it is sufficiently important that there should be a new hearing. If the court decides that the new evidence WOULD NOT change the original decision, your motion will be denied.
2. **I, (your name), ask this court to reopen my case to allow me to introduce new evidence which was not available at the time of my individual hearing to allow me to apply for** (state what you are applying for [Asylum, Cancellation of Removal, etc.]).
3. **This motion is timely because it is being filed as promptly as possible after receiving the new evidence.** (Generally, a motion to reopen must be filed within 90 days of the court's decision, but when the motion to reopen is based on new evidence, the motion can be filed after 90 days, but it must still be filed in a timely manner. Therefore, you need to explain to the court why your motion is being filed as soon as you could.)
4. **I received this new evidence in the form of** (state what form the new evidence is, for example: police reports from my home country, medical records from my home country, letters or affidavits from family members or others which will support your testimony, etc.).

5. **This new information was not available at the time of my hearing because** (state the reasons this evidence was not available, for example, you just received it in the mail). **This new evidence is important for my application for** (type of relief) **because it proves that** (explain what part of your case this evidence supports). **A copy of this new information is included for review by this court.**

For these reasons, I respectfully request that my motion to reopen be granted.

Date:

Respectfully submitted,

Your Name

Your A# XXXXXXXXXX

Your Facility Name

Your Facility Address

CERTIFICATE OF SERVICE

I, _____, certify that on _____ I served a copy of
Your Name Date
copy of this **MOTION TO REOPEN.**

This document was served by:

- Mail:
Office of Chief Counsel
Immigration and Customs Enforcement
Address
City, State
- Personal Service to _____

Your Name

Date

NOTE: You must show the court that you gave a copy of the motion to the Department of Homeland Security (DHS) when you filed it with the court. You can give DHS a copy of the motion by mail or in person.