假释信息指南



被拘留者及其支持网络的假释诉讼常见问题解答

2019年5月30日,南方贫困法律中心 (SPLC) 和美国公民自由联盟 (ACLU) 在美国地方法院对国土安全部 (DHS) 提起诉讼。该诉讼称,新奥尔良移民和海关执法局 (ICE) 拒绝给予符合条件的寻求庇护者假释的公平考虑,而假释是一种有条件的自由。2019年9月5日,法官 James E. Boasberg 批准了Heredia Mons 等人诉讼 McAleenan 等人 (DHS) 一案的集体确认和初步禁令动议。许多人对这一判决的意义及其将如何影响被新奥尔良 ICE 外勤处拘留的个人的案件产生疑问。

1. 法官于 2019 年 9 月 5 日的判决意味着什么?

初步禁令。禁令是法官强制当事人采取某种行动或不采取某种行动的命令。在这个案件中,联邦法官要求新奥尔良 ICE 外勤处在就集体成员的假释申请作出决定时遵循一定的程序。首先,他们必须以对方能理解的语言告知人们,他们有权寻求假释。其次,他们必须给人们一个机会来提交佐证假释申请的证据。第三,他们必须 根据 三个关键因素来考虑该等证据,决定是否批准假释。因素包括:

- a. 身份。相关人员是否令 ICE 满意地表明他们就是自己所说的那个人?
- b. *潜逃风险*。相关人员是否表明,如果被释放,他们将履行参加移民案件中所有法庭 听证会的义务?
- c. 对社区的危害。相关人员是否表明他们不会对社区构成危害?

*集体确认。*当法官确认某个集体时,这意味着其案件判决不仅适用于诉讼中指定的原告,还适用于所有集体成员。该工具使得诉讼将让更多遭受与原告同样伤害的人员受益。在本案件中,法官为实施初步禁令而临时确认了一个集体,这意味着所有集体成员按照上述规定都享有假释判决权利。在这起诉讼中,法官允许路易斯安那州的 SPLC 和 ACLU 代表所有集体成员。这并不意味着我们代表每个集体成员的个人假释申请;我们不这样代表。

2. 谁将成为集体成员?根据这起诉讼谁有资格获得潜在救济?

集体由符合以下要求的个人组成:

- a. 目前被新奥尔良 ICE 外勤处拘留,这意味着他们在路易斯安那州、密西西比州、阿拉巴马州、阿肯色州或田纳西州被 ICE 拘留
- b. 在美国边境入境口岸提出庇护后立即被拘留¹
- c. 通过可信的恐惧访谈 **以及**
- d. 没有最终遣送令
- 3. 上诉被移民上诉委员会 (BIA) 拒绝的被拘留者将怎样?这起诉讼对他们有帮助吗?

遗憾的是,上诉被 BIA 拒绝的个人不属于此集体,只有非常有限的例外。因此,法官的判令不适用于他们。

如果有人选择向 BIA 提出庇护被拒绝上诉,则 BIA 可以维持上诉,将上诉移交给移民法官,也可以拒绝上诉。

如果 BIA 维持上诉,只要他们继续被拘留,就有资格获得假释。

如果 BIA 拒绝上诉,则该人将面临最终遣送令,并可能被驱逐出美国。

但是,如果有人仍在向 BIA 提出庇护判决上诉,而且尚未收到 BIA 的答复,则遣散令不具最终性,因此他们可以申请假释。请注意,ICE 可能会认为移民法官的最初拒绝会增加他们的潜逃风险。

4. BIA 拒绝亲人的上诉后,我们如何才能阻止其被驱逐出境?

您可以通过申请 复审 向美国巡回上诉法院提出 BIA 判决上诉,并向巡回法院寻求暂缓遣送。在某些巡回法院中,将自动临时暂缓遣送;这可能需要向法院进一步辩论为何应继续暂缓。请注意,很难赢得暂缓。如果巡回法院拒绝暂缓,而您的亲人被驱逐出境,则即使被驱逐出境,他们的上诉仍可能悬而未决。

您可以使用 I-246 表格向 ICE 寻求暂缓遣送。您可能需要出示护照或其他旅行证件。

如果您认为 BIA 误用了法律,则可以要求 BIA 在其做出判决的 30 天内重新考虑其判决。这不会自动暂缓遣送。您可以向 BIA 提出暂缓动议。

您可能有资格要求 BIA 或移民法院在 BIA 做出判决的 90 天内重新审理案件。并非每个案件都有资格重新开庭;一般而言,如果满足以下条件,案件就有资格重新开庭: (a) 国家/地区状况发生重大变化,使得被告现在有资格获得庇护,(b) 被告没有获得律师的有效援助,并且做了某些事情来记录和通知律师; (c) 发出遣送令后的变更(无论是被告案件还是法律)意味着被告不再可按照政府对 NTA 的指控方式被遣送;以及 (d) 受虐配偶寻求某些形式的救济。仅在非常有限的情况下,这才会导致自动暂缓遣送。相关人员可以向移民法院或 BIA 提出暂缓动议。

有关重新考虑动议和重新开庭动议的更多信息, 您可以访问:

https://www.americanimmigrationcouncil.org/sites/default/files/practice_advisory/the_basics_of motions to reopen eoir-issued removal orders practice advisory.pdf

请注意,在驱逐出境过程中不配合可能会导致刑事诉讼。

5. 为什么不能将诉讼修改为包括未经正当程序拘留但不在集体内的其余人员呢?

我们认识到,通过此类集体诉讼寻求的救济仅限于根据 2009 年假释指令有资格获得假释的人员,而且有许多人受到其意愿的限制,应有机会获释,但不属于这起诉讼的集体范畴。

在这起案件下的救济有限。其中一些限制与政府制定移民法的方式有关。政府将管制受不同移民案件阶段适用的几种不同法律和法规约束的人员。具体来说,在收到最终遣送令之前和之后,不同的法律和法规管辖人员拘留情况。在这起案件中实施的规章是 2009 年假释指令,这是国土安全部制定的仅适用于某些人员的规章。长期以来,政府一直采取这样的立场:根据 2009 年假释指令,收到最终遣送令的人员不符合假释条件。

我们感到遗憾的是,并非所有人现在都可以根据我们的诉讼获得救济。但是,我们希望您跟 我们具有共同的信念,即帮助某些人总比谁都帮不上更好,并且为被拘留的亲人争取正义的 斗争肯定不会到此为止。

6. 如果我现在申请假释,我会获得假释吗?

现在,新奥尔良 ICE 外勤处已下达法院判令,裁定其 2009 年假释指令中所写的假释判决。尽管我们希望他们理解法院判令的严肃性和严重性,但我们无法预测 ICE 将如何应对。即使 ICE 确实开始裁定假释判决,我们也不知道会有多少人被假释。

7. 如果我已经申请假释,是否需要提交新申请?

原告的立场是,新奥尔良 ICE 外勤处负责重新裁定任何过去的假释申请。但是,由于我们不确定 ICE 将如何处理此过程,因此您可能需要重新提交假释申请。

8. 我在哪可找到有关假释申请方式的信息?

我们为想要自己准备假释申请而没有律师的人员开发了一种资源。请查阅**随附的假释指南**或访问我们的网站 https://www.splcenter.org/ICEParoleToolkit 您可以在其中下载该指南,观看我们录制的信息网络研讨会,并找到其他有用资源。如果您还有其他疑问,可以致电我们的假释热线电话 833-907-1214,服务时间为周二至周五上午 9:00 至下午 4:00(中部时区),节假日除外。由于我们的话务量很高,感谢您的耐心等待。

申请假释的说明

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申请假释的说明

步骤1. 找到您的保证人。

谁可以成为我的保证人?

您的保证人是同意在您移民案件的整个过程中为您担责的人员。此人将以书面形式向 ICE 证明: (1) 一旦离开拘留所,将为您提供住所(2)将为您提供经济支援(3)将确保您参加法庭听证会。

我的保证人必须是我的亲戚吗?

不需要。相关规章未规定保证人必须是假释申请者的亲戚。但是,经验表明,如果保证人熟悉的话,ICE认为更有利。如果您没有愿意成为您保证人的家庭成员,请不要放弃。考虑其他选择,例如信仰组织、移民支持者或您所在国家/地区同胞的声援者。

我的保证人必须是美国公民或永久居民?

没有书面规定要求这样做。但是,经验告诉我们,如果保证人不是美国公民或永久居民,那么 ICE 很少会批准假释。因此,请尽力找到一名是公民或居民的保证人。

步骤2. 与您的保证人协作来编制佐证函

佐证函有何用途?

佐证函将让您有机会向 ICE 表明,您的保证人将兑现诺言,给您提供住所,为您提供经济支援,以及确保您将前往移民法院参加所有听证会,直到您的案件结束为止。

我的保证人的佐证函必须说些什么?

您保证人的佐证函必须包含以下要素:

1. 保证人相关数据

- 保证人的全名
- 保证人的实际地址
- 保证人电话号码
- 保证人移民身份(首选永久居民或美国公民)

2. 您的信息

- 您的全名
- 您的 A 编号
- 您的原籍国家/地区

- 3. 您和您的保证人如何彼此认识的说明
 - 你们之间的关系(例如,婚姻、父母**/**子女、堂兄弟姐妹、朋友或通过移民支持组织认识)
 - 你们彼此认识多久了
 - 表明您的保证人如何了解您的性格或亲密关系程度的轶事
- 4. 保证人的书面承诺
 - 您在假释期间将住在保证人所指定地址的承诺
 - 保证人愿意在您的移民案件期间为您提供经济支援的承诺

步骤 3. 获取所有必要证件/文件。

您将需要证件/文件来确立几项事情:您的身份,您获得假释后不会潜逃,以及您对社区没有危害。

身份证件

您可以在申请中包含多个证件/文件来确立您的身份。请参阅本指南标题为"假释核对清单,可证明身份的证件"的部分中的证件/文件列表。

证明您没有潜逃风险的证件/文件。

这些证件/文件将主要来自您的保证人。除了您保证人的函件,您还需要:

- 1. *您保证人的居住地址证明。*确保您将要使用的任何证件/文件均包含保证人的姓名和居住地址。示例:
 - 电话账单
 - 公用事业账单
 - 抵押或租赁
- 2. 您保证人的移民身份证明。示例:
 - 永久居民卡(绿卡)复印件
 - 美国护照复印件

证明您对社区没有危害的证件/文件。

您在原籍国家/地区有犯罪记录吗?

- 没有 ②尽量取得该国家/地区政府部门的无犯罪记录证明
- 有 ②包括证据表明您服完了任何已判刑的判决,您已经改造好,和/或指控是出于迫害相 关政治原因而提出的。请参阅本指南标题为"假释核对清单,可证明您对社区没有危害的 文件"的部分中的证件/文件列表。

步骤 4. 翻译任何非英语证件/文件。

对于任何非英语的证件/文件,请包括原始语言的证件/文件,外加两样内容:

- 1. 证件/文件的英语翻译版本
- 2. 翻译证明

翻译证明的内容如下:

Certificate of Translation	
I,, hereby state that I am fluent in the	ne English and
languages, and am competent to translate from	to English, and
that I have translated the foregoing document fully and accurately to	the best of my abilities.
Signed:	
Dated:	

步骤 5. 对您的申请进行最终审查。

确保满足所有要求。使用本指南标题为"假释核对清单"的部分来验证您已遵循所有步骤。

步骤 6. 发送证件/文件。

您或您的保证人可以发送申请。申请应发送给您的 ICE 驱逐出境官。

如果您的保证人通过邮件发送,请让他们使用可证明收到的邮件服务。如果您的保证人通过电子邮件发送,请确保他们保存假释申请提交证据。

无论是谁发送,都应在发送之前备份一份完整申请并将其保存在文件中。



假释核对清单

1.可证明身份的证件

- 」护照
 - 您的有效护照原件或
 - ■您的护照复印件以及此处列出的一种或多种其他身份证件
- 身份证
 - **一**您的有效身份证原件或
 - ☑您的身份证复印件以及此处列出的一种或多种其他身份证件

出生证明

- ☑您的出生证明原件以及此处列出的一种或多种其他身份证件
- ☑您的出生证明复印件以及此处列出的一种或多种其他身份证件
- 一可以确认您身份的人员的宣誓书(函件)
 - 」必须包括您的全名、出生日期、九位数 A 编号和您的原籍国家/地区
 - 」

 必须由合法的永久居民(绿卡持有人)或美国公民签名。此外,还必须提供该人的护照或

 绿卡复印件
 - 必须包含该人的全名及其地址和电话号码
 - 」必须说明他或她认识您的方式和时间
- 2.可证明您没有潜逃风险的文件
 - ─ 将向您提供佐证的个人或社区组织的宣誓书(函件)
 - 」必须包括您的全名、出生日期、九位数 A 编号和您的原籍国家/地区
 - 必须包含该人/组织的全名及其地址和电话号码
 - 」必须由合法的永久居民(绿卡持有人)或美国公民签名。此外,还必须提供该人的护照或 绿卡复印件
 - 」必须说明您将居住在所列地址,并且该人/组织愿意在您处理移民诉讼时为您提供支持(例如,为您提供住房和食物)
 - 」必须包括公用事业或电话账单复印件,而且该人/组织的姓名/名称和当前地址必须与宣誓书中包含的居住地址相符
 - ■必须说明您与该人的关系以及彼此认识了多久。
 - 」可以包含您将与其居住在一起的任何其他人员的详细信息(其他家人、朋友等)
 - 可以包括轶事,以证明您与该人的关系和强烈的道德品质
 - **」除了保证人宣誓书外,您还可以提交**
 - 」社区中其他人表明其佐证的函件。注意:必须包含写信人的姓名、地址、联系信息和移民 身份
 - 」释放后您将获得的任何法律、医疗或社会服务的文件
- 3.可证明您对社区没有危害的文件

- ▲ 在您的原籍国家/地区和您居住的任何其他国家/地区的无犯罪记录证明。
- ☑ 在您的原籍国家/地区和您居住的任何其他国家/地区的无犯罪记录证明复印件。
- 」无罪释放或撤销任何刑事指控的证据
- 」改造课程证书或其他积极成就证明(学位或培训的完成、长期就业、志愿者活动、与您的礼拜场所相关的活动)
- 证明您无犯罪记录的宣誓书
 - 」必须包括您的全名、出生日期、九位数 A 编号和您的原籍国家/地区
 - 业须经您签名
- 证明您改造的宣誓书
 - 」 必须包括您的全名、出生日期、九位数 A 编号和您的原籍国家/地区
 - 」必须由合法的永久居民(绿卡持有人)或美国公民签名。此外,还必须提供其护照或绿卡复印件
 - 业须包含该人的全名及其地址和电话号码
 - 」必须说明他或她认识您的方式和时间
 - 一 必须说明她/他为什么认为您已改造好

提示

- 1. 请记住,这不是您的庇护申请。尽管您可能提到迫使您来到美国的迫害或酷刑,但这不应成为假释申请的重点。相反,您应该重点证明 1) 您的身份, 2) 您没有潜逃风险, 3) 您对社区没有危害。ICE 在做出假释决定时应会关注这些特征。
- 2. 如果您的身份证件被移民官员没收,请考虑在佐证书中提及政府拥有哪些证件。
- **3.** 如果有任何佐证书可以公证,则最好进行公证。可以考虑去当地的银行或邮局询问,或者向公证员付费。
- **4.** 确保翻译所有非英语的证件,并提供原始版本和翻译版本。这包括佐证宣誓书、护照、出生证明以及其他任何非英语证件。
- 5. 您可以发挥创造力!如果您有其他有助于证明自己身份且证明您不会有潜逃风险或公共安全风险的证件、函件或证明,则可以将其包括在内。
- **6.** 您和为您提供佐证的人员了解您假释申请的内容很重要。会有 ICE 代理给您致电进行访谈,并且可能会致电为您提供佐证的人员来确认佐证宣誓书中的信息。
- 7. 您可能希望提交一个封面,其中简要说明申请并列出申请中包含的证件/文件。
- 8. 随信附上一小包支持佐证宣誓书样本,让您大致了解此类函件的形式。<u>请记住,这些只是样本。这些证件/文件不应在您的假释申请中提交给 ICE,并且您不应逐字抄写任何函件。</u>这是个人流程,每个案件都是唯一的。

佐证函样本

请注意,这些都是示例。<u>您不能提交这些函件或逐字复制这些函件。</u> 佐证函必须包含您案件的具体信息。

确保翻译所有非英语的证件,并提供原始版本和翻译版本。

Mary Smith

201 Greenbrook Springs Dr.

Orlando, FL 32789

2019年6月12日

尊敬的 ICE 官员:您好!

本人 Mary Smith 谨此申请在佛罗里达移民法庭出席听证会期间将 Terry Manuel Beal (A#123-456-789) 从拘留所释放。

我是一名美国公民。我一直在美国生活,在我现在居住的城市和社区生活了13年以上。

我是去年认识 Terry 的。我现在的男朋友是 Terry 的表弟,他介绍我们认识。认识 Terry 以来,我一直认为他是一个善良的人。在 Terry 被拘留期间,我每周跟他通话两三次。

如果从拘留所被释放,Terry 将和我们一起住在我位于 201 Greenbrook Springs Dr., Orlando, FL 32789 的家里。我将为 Terry 提供衣服、食物及其所有必需品等经济援助,并确保他有交通工具去参加未来所有的移民法庭听证会。

我附上了一份我的出生证明复印件来证明我在美国的移民身份。我还附上了一份电费账单的复印件,以证明我家的地址,还有一份我的财务记录复印件,以证明我可以在 Terry 处理佛罗里达移民法庭庇护案期间提供经济援助。

感谢您通情达理地考虑本次申请。如有任何疑问,请直接与我联系。我在家工作,因此美国东部标准时间上午 9 点以后都有时间。您可以拨打电话 (555) 123-4567 或发送电子邮件至

marysmith123@email.com 联系到我。我已出具本函件,连同我的佛罗里达驾照和出生证明原件,本 函件随附复印件,经佛罗里达州公证员公证。

此致!

Mary Smith

Mary Smith

JOHN SMITH

NOTARY PUBLIC, STATE OF FLORIDA

COMMISSION NO. 12345678912

My Commission Expires December 31, 2018

***注意套用函件! ***

佐证函应个性化! 下面是一个套用函件示例。 **这不是您想要的!**

经济担保书

本人 <u>Max Withers</u> 是美国公民, 持有<u>新泽西驾照 M1111 12345 67810</u>, 现居住于 <u>14 Brown Blvd.</u>, <u>Trenton</u>, <u>NJ 08601</u>, 兹证明如下, 如有不实, 愿接受伪证罪之罚:

我出生于 1990 年 12 月 1 日

自 2016 年起一直在 Education Inc 工作

以及如下事官:

本担保书代表以下人士执行:

姓名: Martin Hinajosa 婚姻状况: 单身

与保证人的关系: 姐夫

出生日期: 01/02/1980

地址: Stewart Detention Center/146 CCA Road, Lumpkin GA 31815

我愿意并能够为代表其执行本担保书的人士提供经济援助、食宿和所有费用。本担保书由本人提供担保,保证有关人士不会成为公共负担。

保证人的宣誓或誓词

本人谨此声明,本人已知晓本人所签署的这份担保书的内容,并保证其真实无误,若有不实,愿接受伪证罪之罚。

Max Withers 08/07/2019

Max Withers

新泽西州

默克县



			良好示例#2			
2019年8月30日						
移民和海关执法户 P.O. Box 248	司				脚	
Lumpkin, GA 3181	5				二	ਜ
尊敬的 ICE 官员:						
为证,特此证明表 若获假释将住在表 2018年8月13日	我位于新泽西州 日起就在 里庇护案件时向 的妹	的家 其提 妹_	中。我保证他	也不会成	上班, 【及一切相 ————————————————————————————————————	我愿意在 关生活费 往三年。
我们的地址是 我和家人一起全之			_和她的哥哥	处理庇护	。 护案件。£	战们保证
			_将出席其所	有 ICE 扎	及到和法院	听证会。
我已在这封函件。请求时可能需要的		和美	国公民证明,	并乐意	凭供 您处	理这项
感谢您的考虑, 我	戈希望					_尽快入

此致!

住我们家。

假释诉讼的所有集体成员均需选中以下

程* All class members of the parole lawsuit have the following boxes checked*

DEPARTMENT OF HOMELAND SECURITY

NOTICE TO APPEAR 出庭通

In removal proceedings under section 240 of the Immigration and Nationality Act: File No. A			
In the Matter of:			
AND THE PROPERTY OF THE PROPER			
Tallahatchie County Correctional Facility, 415 U.S. Highway 49 N, Tutwiler, MS 38963			
(Number, street, city and ZIP code)			
* ☑ You are an arriving alien.			
You are an alien present in the United States who has not been admitted or paroled. You are an applicant for admission. You have been admitted to the United States, but are removable for the reasons stated below.			
The Department of Homeland Security alleges that:			
1) You are not a citizen or national of the United States.			
2) You are a native of Cuba and a citizen of Cuba;			
 You applied for admission at POE, Paso Del Norte, El Paso, TX on 1/29/2019; 			
 You did not then possess or present a valid immigrant visa, reentry permit, border crossing identification card, or other valid entry document; 			
identification card, of other varia entry document,			
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: Section 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.			
★ 在庇护官员发现被告表现出对迫害或酷刑的可信恐惧后,将发出此通知。			
* 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:			
LaSalle Service Processing Center, 830 Pinehill Road, Jena, LA 71342			
(Complete Address of Immigration Court, including Room Number, if any)			
on TBD at TBD to show why you should not be removed from the United States based on the			
(Date) (Time) Dusty Clark			
charge(s) set forth above. Supervisory Asylum Officer			
(Signature and Title of Issuing Officer)			
EB 1 2 5012			
Date Houston, TX			
(City and State)			

Notice to Respondent

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

Allen Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under 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, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should 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 and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, 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 reflef from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the immigration Court and the Department of Homeland Security 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 Court, a removal order may be made 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 http://www.ice.gov/contact/ero, as directed by 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 all forms of discretionary relief for as long as you remain in the United Stated and for ten years after departure or removal. This means 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 (the Act).

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

Request for Prompt Hearing To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office of Immigration Review as soon as possible walve my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled. Before: (Signature of Respondent) Date: (Signature and Title of Immigration Officer) Certificate of Service FEB 2 7 2019, 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 credible fear worksheet. The alien was provided oral notice in the section 240(b)(7) of the Act. 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.		
Walve my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled. Before: (Signature of Respondent) Date: (Signature and Title of immigration Officer) Certificate of Service FEB 2 7 2019, 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 service in the language of the time and place of his or her hearing and of the	Request for Prompt He	paring
(Signature of Respondent) Certificate of Service FEB 2 7 2019 This Notice To Appear was served on the respondent by me on 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	To expedite a determination in my case, I request this Notice to Appear be filed with the waive my right to a 10-day period prior to appearing before an immigration judge and re-	e Executive Office of Immigration Review as soon as possible. I equest my hearing be scheduled.
Certificate of Service This Notice To Appear was served on the respondent by me on	Before:	(Signature of Respondent)
Certificate of Service FEB 2 7 2019, 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	<u> </u>	Date:
This Notice To Appear was served on the respondent by me on FEB 2 7 2019, 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	(Signature and Title of Immigration Officer)	
(Signature of Respondent if Personally Served) (Signature and Title of Officer)	This Notice To Appear was served on the respondent by me on 239(a)(1) of the Act. In person by certified mail, returned receipt # Attached is a credible fear worksheet. Attached is a list of organization and attorneys which provide free legal service. The alien was provided oral notice in the section 240(b)(7) of the Act.	

DEPARTMENT OF HOMELAND SECURITY U.S. Immigration and Customs Enforcement

PAROLE ADVISAL AND SCHEDULING NOTIFICATION

Alien's Claimed Name(s) (including Ak	As)
. 9,2	A#(s)
Detention Facility Name and Location	Tallahatchie Correctional Facility, TUTWILER, MS

假释建议和时间安排通知

NOTICE TO THE ALIEN

Because you have been determined to have a "credible fear" of persecution or torture, U.S. Immigration and Customs Enforcement (ICE) will consider whether to parole you from custody pending the resolution of your immigration proceedings. As an Asylum Officer may have already explained to you, ICE may grant you parole if you can establish to ICE's satisfaction: (1) your identity; (2) that you are likely to appear for all scheduled hearings and enforcement appointments (including for removal from the United States if you are ordered removed); and (3) that you do not present a security risk to the United States or a danger to the community.

1) Documents that May Prove Identity 1) 可证明身份的证件

- Passport
 - o Your original, valid passport OR
 - Copy of your passport AND one or more of the other identity documents listed here
- National ID Card

Field Office New Orleans

- o Your original, valid national ID card OR
- o Copy of your national ID card AND one or more of the other identity documents listed here
- Birth Certificate
 - o Your original birth certificate AND one or more of the other identity documents listed here
 - o Copy of your birth certificate AND one or more of the other identity documents listed here
- Affidavit (Letter) from a Person Who Can Confirm Your Identity
 - o Must include your full name, your date of birth, your nine-digit A-number, and your country of origin
 - o Must be signed by a lawful permanent resident (green card holder) or citizen of the United States of America and include a copy of the person's passport or green card
 - o Must include the person's full name and her/his address and phone number(s)
- o Must state how and for how long he or she has known you

2) Documents that May Prove that You are Not a Flight Risk 2) 可证明您没有潜逃风险的文件

- Affidavit (Letter) from a Person or Community Organization Who Will Support You
 - o Must include your full name, your date of birth, your nine-digit A-number, and your country of origin
 - o Must include the person's/organization's full name and her/his address and phone number(s)
 - o Must be signed by a lawful permanent resident (green card holder) or citizen of the United States of America and include a copy of the person's passport or green card
 - o Must state that you will reside at the address listed and that the person/organization is willing to support you for example, provide you housing and food - while you are in immigration proceedings
 - o Musi include a copy of a utility or telephone bill, with the person's/organization's name and current address matching the address of residence included in the affidavit
 - o Can include details of any other ties that you have to where you will live (family, friends, etc.)
- In addition to the Affidavit of Sponsorship, you may also submit
- o Letters from others in the community where you will live, showing their support. Note: must include the writer's name, address, contact information, and immigration status.
- o Documentation of any legal, medical or social services you will receive upon release

3) Dosuments that May Prove that Your are Not a Danger to the Community

- Evidence of acquittal or dismissal of any criminal charges

- Certificates for rehabilitation classes or evidence of other positive accomplishments (completion of a degree or training, long-term employment, volunteer activities, activities with your place of worship)

Affidavit attesting to your rehabilitation

- o Must include your full name, your date of birth, your nine-digit A-number, and your country of origin
- o Must be signed by a lawful permanent resident (green card holder) or citizen of the United States of America and include a copy of her/his passport or green card
- o Must include the person's full name and her/his address and phone number(s)
- o Must state how and for how long he or she has known you
- o Must explain why she/he believes that you have been rehabilitated

If you would like ICE to consider any documents as part of its assessment whether to parole you from detention, you must provide those documents as soon as possible to allow ICE sufficient time to review the documents thoroughly before your interview. You may also request additional time to obtain documents for ICE's consideration, but should make that request as soon as possible.

ICE has scheduled you for an interview to assess whether you meet these qualifications. That interview will take place at the time and place Indicated below.

ICE 官员与您的假释访谈安排在以下日期

Your parole interview has been scheduled with an ICE officer at the following date and time:

08/16/ (Month, D		_ @ _	(Time - In	5:00 PM dicate "a.m.	" or "p.m.")		
(F	日 年)			ョ明"上午"	'或"下午")		· orle)
Please provide any paperwork you	would like c	onsidered (or any req	uest for add	litional time to	gather paperv	voi k)
请在以下日期之前提供您想要考虑		no later	than				
何文书(或任何要求额外时间来收	集文	08/16/20	018	, to:			
书的申请):		Month, Day,	I.	月日	年)	, jw	
JAMES SHEFFIELD	415 U.S. Address/Ci	HIGHWAY	49 N TU	WILER, I	MS 38963	7	
Officer Name	Addression	ity/Otato/21p					
+1 (662) 345-6567		345-852	V			(12)	
Office Telephone Number	Fax						

(ICE Detention and Removal Operations Field Office Personnel: Indicate Manner in Which Alien Snould Provide Documentation)

Following your interview, you will be notified in writing of ICE's decision, usually within 7 days. If your request is denied, you will receive a written explanation of the denial.

访谈后,通常会在7天内以	书面形式通
知您 ICE 的决定。如果您的F	申请被拒
绝, 您将收到有关拒绝的书面	THOO OF CENTRE
	A CONTROL OF STATE OF
Asylum Seeker's Signature:	寻求庇护者的签名:
Date: 08/16/2018	* *
ICE Officer's Name:	
Language Used:	Interpreter Number (if applicable):
使用的语言:	

假释访谈问题样本

- 1. 您是否有保证人? (是或否)
- 2. 他们与您是什么关系? (姓名、地址、电话号码)
- 3. 您是否将与保证人住在一起? (是或否)
- 4. 如果不是, 您将居住在哪里?他们与您是什么关系? (姓名、地址、电话号码)
- 5. 您是否有住在美国的亲密家人?说明: (母亲、父亲、小孩数量;美国公民或合法永久 居民)
- 6. 如果您的假释获准,您是否有旅行安排?
- 7. 您是否有足够的资金用于任何形式的交通/食品? (出租车、公交车资或机票)
- 8. 您是否有社区关系人或非政府保证人?说明: (教堂、改造计划)
- 9. 您是否曾被判有罪?说明: (仅回答是或否)
- 10. 您是否有政府签发的有效身份证件?
- 11. 如果没有政府签发的身份证件,是否有可自行确定自身身份和地址且佐证个人所声称身份的有效性的亲属可提供第三方宣誓书?
- 12. 您还有什么要补充的吗?