

JIM STOLLEY
Acting Chief Counsel

David Shenberg

Assistant Chief Counsel
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
26 Federal Plaza, Rm1130
New York, NY 10278
(212) 264-5916

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

In the Matter of

Shuliak, Karina

In Removal/Deportation Proceedings

File No.: A *200-176-395*

Immigration Judge

Randa Zagzoug

Next Hearing Date:

10/22/14

JOINT MOTION TO DISMISS WITHOUT PREJUDICE

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

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In the Matter of)
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Shuliak, Karyna)
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In Removal/Deportation Proceedings)
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_____)

File No.: A 200-176-395

JOINT MOTION TO DISMISS WITHOUT PREJUDICE

The U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (Department), and the respondent, by and through their respective undersigned counsel, jointly move the Immigration Judge to dismiss the instant proceedings in the above-captioned case to allow the respondent to pursue his/her application(s) for adjustment of status before U.S. Citizenship and Immigration Services (USCIS).

The parties agree that any dismissal or termination pursuant to this motion is without prejudice and does not constitute a final judgment rendered on the merits of any issue in these proceedings. Should USCIS deny the visa petition on the basis of which the respondent is seeking adjustment of status, or should USCIS determine either that the respondent is ineligible for adjustment of status, or that the respondent should be denied adjustment for any reason, the respondent understands and agrees that the Department may seek to commence removal proceedings anew. *See generally* 8 C.F.R. § 1239.2(c) (providing that dismissal “shall be without prejudice to the alien or the Department of Homeland Security”).

The respondent acknowledges his/her obligation to notify the USCIS in writing of each change of address and new address within ten days from the date of such change pursuant to section 265 of the Immigration and Nationality Act.

Based upon the forgoing, the parties request that the Immigration Judge grant this joint motion to dismiss without prejudice. Attached, for the Immigration Judge's convenience is a proposed order relating to this motion.

Respectfully submitted,

Dated: _____

U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
26 Federal Plaza, Rm 1130
New York, NY 10278
212-264-5916

Dated: _____

Attorney for the respondent

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

In the Matter of: SHULIAR, KARYNA

File No.: A 200-176-395

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Joint Motion to Dismiss without Prejudice, the Court states the following:

1. The parties have agreed to the dismissal of the instant proceedings without prejudice so as to permit the respondent to pursue adjustment of status before U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security.
2. Other: _____.

THEREFORE, it is HEREBY ORDERED that the motion be:

GRANTED. Good cause has been established for this motion. These proceedings are hereby terminated without prejudice. This termination order does not constitute a final judgment rendered on the merits of these proceedings.

DENIED. _____

Immigration Judge Ramon Aguirre

Date: _____

Certificate of Service

This document was served by: Mail Personal Service
To: Alien Alien c/o Custodial Officer Alien's Atty/Rep DHS

Date: _____ By: Court Staff _____