

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

**STANDING ORDER: PROCEDURES**

On March 17, 2020, the Federal Government issued a memorandum directing agencies to minimize face-to-face interactions with members of the public, which is posted at <https://www.whitehouse.gov/wp-content/uploads/2020/03/M-20-16.pdf>. To comply with directives from Federal, State, and County health officials and reduce the spread of COVID-19, it is hereby ordered that the following procedures shall be implemented immediately in the Memphis Immigration Court and shall remain effective until rescinded by a superseding order of the Memphis Immigration Court. This order is made pursuant to Immigration and Nationality Act § 240(b)(1)-(2) and 8 C.F.R. § 1003.10(b), 1003.21(b), 1003.25, 1003.29, 1003.31(c), 1003.40.

All parties should continue to monitor the EOIR website at <https://www.justice.gov/eoir> and/or EOIR's Twitter feed at: @DOJ\_EOIR ([https://twitter.com/doj\\_eoir?lang=en](https://twitter.com/doj_eoir?lang=en)) for the latest information on court operating status.

**INDIVIDUALS WITH COVID-19 SYMPTOMS OR POSITIVE COVID-19 TEST**

Under no circumstances shall any individual experiencing symptoms consistent with COVID-19 infection enter the Court, including but not limited to the lobby, filing window, and courtrooms. This same restriction applies to any individuals who have tested positive for COVID-19, unless they have been affirmatively advised by an appropriate medical professional that they are no longer contagious. If any individual described in this paragraph is unable to attend an upcoming hearing at which his or her presence is required, he or she shall promptly notify the Court in writing to the Court's email filing mailbox at [Memphis.Immigration.Court@usdoj.gov](mailto:Memphis.Immigration.Court@usdoj.gov), or in an emergency, by telephone to the Court.

**FILING OF MOTIONS, APPLICATIONS, BRIEFS, EVIDENCE, AND OTHER DOCUMENTS**

**Routine Filings:** First class mail, express delivery services, or email sent in compliance with the guidelines posted at <https://www.justice.gov/eoir/filing-email> are strongly preferred over in-person submission of motions, applications, briefs, evidence, and any other documents. However, filings to the Court's email filing mailbox should not be made more than three (3) months in advance of any filing deadline or hearing date **unless it is an application for asylum and its filing is necessary to meet the one-year filing requirement of Section 208(a)(2)(B)**. Additionally, any submissions over fifty (50) pages must be made by means other than email.

**Time-Sensitive Filings:** All filing deadlines ordered by the Court remain in effect. Unless otherwise ordered by the Court, all filings are due in accordance with the deadlines established in the Immigration Court Practice Manual, Chapter 3.1(b). Untimely filings are subject to the consequences identified in the Immigration Court Practice Manual, Chapter 3.1(d).

**Page Limit:** For documents relating to country conditions or other reference materials, a maximum of 150 pages may be submitted. The relevance of each background/country condition document shall be set forth in the table of contents or by citation in the prehearing statement. A party wishing to submit more than 150 pages of such documentation must first establish good cause in a written motion that identifies the documents sought to be submitted, why they are believed to be necessary, and what they show that is not already established by any prior submissions. The U.S. Department of State's most recent Country Report on Human Rights Practices and Report on International Religious Freedom may be submitted, or made part of the record by motion, without counting against this page limit.

## MASTER CALENDAR HEARINGS

In order to reduce the number of personal appearances for master calendar hearings, the following shall be submitted no later than five (5) business days prior to a scheduled master calendar hearing:

1. Written pleadings,<sup>1</sup> unless previously submitted; and
2. **Either:**
  - A) motion to vacate master and set for individual hearing<sup>2</sup> with the respondent's application(s) for relief, unless previously submitted; **or**
  - B) a motion to continue establishing good cause for continuing the case to another master calendar hearing; **or**
  - C) a request to appear in person or telephonically at the scheduled master calendar hearing that establishes the necessity for the hearing.

Notwithstanding the above, the Court may direct that the master calendar hearing proceed as scheduled.

## INDIVIDUAL CALENDAR HEARINGS

Pursuant to 8 C.F.R. 1003.25(a), Counsel and respondent(s) may appear by telephone for good cause shown. A motion to appear telephonically must be submitted no later than fifteen (15) days in advance of the individual calendar hearing. The motion shall include a single landline telephone number at which both counsel and the respondent(s) may be reached. Motions must also include a written acknowledgement that the respondent(s) has been advised of his or her right to personally appear at the hearing per 8 C.F.R. §1003.25(c) and consents to appearing telephonically in lieu of a personal appearance. Any party appearing by telephone waives the right to object to any evidence presented at the individual hearing on the basis that he/she is unable to view such evidence.

Motions for witnesses to appear by telephone must also be submitted no later than fifteen (15) days in advance of the individual calendar hearing. Motions for telephonic witnesses shall include a summary of the witness's expected testimony that demonstrates its relevance, materiality, and its necessity.

Appearances are not required by minor respondents under the age of fourteen (14), or for respondent(s) whose appearance has previously been waived by the Immigration Judge.

In all individual calendar hearings wherein the respondent is represented and the relief sought includes asylum, withholding of removal, and/or protection under the Convention Against Torture, Counsel for the respondent shall submit proposed stipulated facts that form the basis for the claim of relief. The proposed stipulated facts shall delineate any particular social group(s), if applicable, and shall be filed with the Court and served on the Department of Homeland Security no later than thirty (30) days prior to the individual calendar hearing.

If agreed to by the parties, the Court may adopt the proposed stipulated facts in lieu of, or in addition to, the respondent's oral testimony and rely on such stipulated facts in reaching a decision.

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<sup>1</sup> Separate, written pleadings are required for each respondent, and the written pleadings must be signed by the respondent (or guardian) and the respondent's representative. Immigration Court Practice Manual, Chapter 4.15(j)(April 10, 2020). Pleadings must comply with the requirements set forth in the Immigration Court Practice Manual, and representatives are strongly encouraged to submit written pleadings using the template provided at Attachment A.

<sup>2</sup> Representatives are strongly encouraged to submit motions to vacate using the template provided at Attachment B.

**REQUESTS FOR TELEPHONIC PREHEARING CONFERENCES**

Parties are reminded that telephonic prehearing conferences may be requested to narrow issues, obtain stipulations, exchange information, or otherwise simplify and organize the proceeding. 8 C.F.R. § 1003.21(a). Prehearing conferences may be initiated by the Immigration Judge or requested by a party, in writing, to resolve matters without the need for a hearing. If either party believes that a matter is appropriately resolved via a pretrial conference, that party shall confer with the opposing party and file an appropriate motion with the Court. The Court will then review the record and take action as appropriate.

Dated, this 1st day of May, 2020.

A handwritten signature in blue ink, appearing to read "Renae M. Hansell", written over a horizontal line.

Renae M. Hansell  
Assistant Chief Immigration Judge  
Memphis, Tennessee

Attachments: Attachment A  
Attachment B

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

IN THE MATTER OF \_\_\_\_\_ )  
\_\_\_\_\_) )  
\_\_\_\_\_) ) A \_\_\_\_\_ )  
\_\_\_\_\_) )  
IN REMOVAL PROCEEDINGS \_\_\_\_\_ )

RESPONDENT'S WRITTEN PLEADINGS

On behalf of my client I make the following representations:

1. The respondent waives a formal reading of the NTA and concedes proper service of the Notice to Appear dated \_\_\_\_\_.
2. I have explained to the respondent, and the respondent acknowledges:
  - a. The rights set forth in 8 C.F.R. § 1240.10(a);
  - b. The consequences of failing to appear in Court as set forth in INA §240(b)(5);
  - c. The limitation on discretionary relief for failure to appear set forth in INA § 240(b)(7);
  - d. The consequences of knowingly filing or making a frivolous application as set forth in INA §208(d)(6);
  - e. The requirements to notify the Court within 5 business days of any change of address or telephone number, using Form E-33/IC pursuant to 8 C.F.R. §1003.15(d); and
  - f. That if any application is not timely filed, the application will be deemed waived and abandoned under 8 C.F.R. § 1003.31(c).
3. The respondent **admits** factual allegations \_\_\_\_\_ and **denies** \_\_\_\_\_.
4. The respondent **concedes** the following charges of removability \_\_\_\_\_ and **denies** the following charges of removability \_\_\_\_\_.
5. In the event of removal, the respondent names as the country to which removal should be directed \_\_\_\_\_ or **declines to designate** a country of removal.
6. The respondent will apply for the following forms of relief:  
☐ Termination of Proceedings ☐ Asylum ☐ Withholding of Removal ☐ CAT ☐ Adjustment of Status  
☐ 42B ☐ 42A ☐ Voluntary Departure ☐ Waiver of inadmissibility pursuant to INA \_\_\_\_\_  
☐ Other \_\_\_\_\_  
☐ Relief Outside the Jurisdiction of the Court \_\_\_\_\_
7. The respondent's best language is \_\_\_\_\_, and we request an interpreter in that language for the individual hearing.
8. The respondent's address is \_\_\_\_\_.
9. If the relief from removal requires an application, the respondent will file the application as directed by the court. The respondent acknowledges that if the application(s) are not timely filed, the applications(s) will be deemed waived and abandoned under 8 C.F.R. 1003.31(c).
10. The respondent has received biometrics instructions and will timely comply with instructions. I have explained the instructions to the respondent. I have also explained to the respondent that under 8 C.F.R. 1003.47(d), failure to provide biometrics or other biographical information within the time allowed will constitute abandonment of the application unless the respondent demonstrates that such failure was a result of good cause.
11. The respondent estimates \_\_\_\_\_ hours will be necessary for the individual hearing.

Attorney for the respondent: \_\_\_\_\_ Date: \_\_\_\_\_

Respondent's pleading declaration:

I have been advised of my rights in these proceedings by my attorney or representative. I understand those rights. I waive a further explanation of those rights by this Court. I have been advised by my attorney or representative of the consequences of failing to appear for a hearing. I have also been advised by my attorney of the consequences of failing to appear for a scheduled date of departure or deportation. I understand those consequences. I have been advised by my attorney or representative of the consequences of knowingly filing a frivolous asylum application. I understand the consequences. I have been advised by my attorney or representative of the consequences of failing to follow the DHS biometrics instructions within the time allowed. I understand those consequences. I understand that if my mailing address changes I must notify the court within 5 days of such change by completing an Alien's Change of Address Form (Form EOIR-33/IC) and filing it with this court. Finally, my attorney or representative has explained to me what this Written Pleading says. I understand it, I agree with it, and I request that the court accept it as my pleading.

Respondent (or guardian if a minor): \_\_\_\_\_ Date: \_\_\_\_\_

B

A. Tourney, Esquire

NON-DETAINED

Law Offices of A. Tourney  
123 Main Street  
Anytown, TN 12345

**UNITED STATES DEPARTMENT OF JUSTICE  
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IN REMOVAL PROCEEDINGS

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Immigration Judge: Holt

Next Hearing Date: January 1, 2000

RESPONDENT'S MOTION TO VACATE MASTER CALENDAR HEARING  
AND SET FOR AN INDIVIDUAL HEARING (OR TO STATUS DOCKET)



**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
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MEMPHIS, TENNESSEE**

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**RESPONDENT'S MOTION TO VACATE MASTER CALENDAR HEARING  
AND SET FOR AN INDIVIDUAL HEARING (OR TO STATUS DOCKET)**

COMES NOW, the respondent, by and through counsel, and requests that this Court vacate the currently-scheduled master calendar hearing and set this matter for an individual hearing. In support of such Motion, the following scheduling information is provided:

1. A **COPY** of an application filed with USCIS. \_\_\_\_\_

**\*DO NOT** enter this as an application for the Court.

*or*

An application for the Court. \_\_\_\_\_

Relief requested: \_\_\_\_\_.

2. I want an expedited hearing on my asylum application. \_\_\_\_\_

*or*

I reject a setting on the first available hearing date. \_\_\_\_\_

3. I **HAVE** complied with all biometrics instructions. \_\_\_\_\_

*or*

I **HAVE NOT** complied with all biometrics instructions. \_\_\_\_\_

WHEREFORE, in consideration of my written pleadings and the scheduling information provided herein, I hereby request that the Court vacate my currently-scheduled master calendar hearing and set this matter for an individual hearing.

\_\_\_\_\_  
A. Tourney, Esquire

Alien Name(s)  
Alien Number(s)

CERTIFICATE OF SERVICE

On \_\_\_\_\_, I \_\_\_\_\_  
(date) (printed name of person signing below)

served a copy of this Motion to Vacate Master Calendar Hearing and Set for an Individual

Hearing (or to Status Docket) and any attached pages to \_\_\_\_\_  
(name of party served)

\_\_\_\_\_  
(address of party served)

by \_\_\_\_\_  
(method of service – courier, first class mail, hand-delivery, etc.)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
date

**UNITED STATES DEPARTMENT OF JUSTICE  
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MEMPHIS, TENNESSEE**

IN THE MATTER OF \_\_\_\_\_

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IN REMOVAL PROCEEDINGS \_\_\_\_\_

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**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of the Motion to Vacate Master Calendar Hearing and Set for an Individual Hearing (or to Status Docket), it is HEREBY ORDERED that the motion be: ☐ **GRANTED** ☐ **DENIED** because:

- ☐ DHS does not oppose the motion.
- ☐ The respondent does not oppose the motion.
- ☐ A response to the motion has not been filed with the Court.
- ☐ Good cause has been established for the motion.
- ☐ The Court agrees with the reasons stated in the opposition.
- ☐ The motion is untimely per the \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.

An individual hearing is set for \_\_\_\_\_ at \_\_\_\_\_ AM/PM in Courtroom \_\_\_\_\_. Supplemental documents are due \_\_\_\_\_ days in advance of the individual hearing. If biometrics instructions have not yet been complied with, the respondent must comply, and provide proof of such to the Court, no later than \_\_\_\_\_.

**OR**

A master calendar hearing on the Court's status docket is set for \_\_\_\_\_ at \_\_\_\_\_ AM/PM in Courtroom \_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
[name], Immigration Judge

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 \_\_\_\_\_

**UNITED STATES DEPARTMENT OF JUSTICE  
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\_\_\_\_\_  
[name], Immigration Judge

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IN REMOVAL PROCEEDINGS \_\_\_\_\_

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*OR*

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\_\_\_\_\_  
Date

\_\_\_\_\_  
[name], Immigration Judge

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Date: \_\_\_\_\_ By: Court Staff \_\_\_\_\_