

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
1705 EAST HANNA ROAD, SUITE 366
ELOY, ARIZONA 85231**

IN THE MATTER OF:

[REDACTED]

Respondent

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)

IN REMOVAL PROCEEDINGS

FILE NO.:

[REDACTED]

DATE:

August 25, 2009

On Behalf of the Respondent:

[REDACTED], *Pro Se*
1705 East Hanna Road
Eloy, Arizona 85231

On Behalf of the Government:

Office of the Chief Counsel
Department of Homeland Security
Immigration and Customs Enforcement
1705 East Hanna Road
Eloy, Arizona 85231

ORDER OF THE IMMIGRATION COURT

The Court has conducted numerous hearings wherein the respondent has exhibited illogical speech and has made delusional statements. On several occasions, the respondent has been escorted out of the courtroom due to his disruptive behavior. The Court finds that the respondent is unable to effectively participate in a coherent manner, to comprehend the nature and consequences of the proceedings, to communicate with the Court, to assert or waive any rights, and to seek various forms of relief. Simply put, the Court finds that respondent is unable to assist himself, and is not mentally competent to continue in removal proceedings. Because of the respondent's inability to comprehend or participate in any meaningful dialog, and considering the respondent's apparent mental illness, the Court, *sua sponte* and in its discretion, enters the following Order:

IT IS HEREBY ORDERED that the respondent be evaluated by the U.S. Public Health Service or any contract agency or individual charged with mental health services for immigration detainees;

IT IS FURTHER ORDERED that said agency shall prepare a study and report on the respondent's mental condition and an evaluation of the respondent's competency to represent himself in removal proceedings; and

IT IS FURTHER ORDERED that the report shall be Confidential and made available only to the respondent, Executive Office for Immigration Review, Office of the Chief Counsel (D.H.S./I.C.E.), and respondent's appointed representative.

Date

U.S. Immigration Judge