

U.S. DEPARTMENT OF HOMELAND SECURITY  
Bureau of Customs and Border Protection

DELEGATION ORDER

CUSTOMS DIRECTIVE [REDACTED] b2

ORDER NUMBER

ISSUE DATE

EFFECTIVE DATE

SUBJECT

Stipulated Judicial Orders of Removal

DELEGATED BY

Commissioner

DELEGATED TO

Chief, U.S. Border Patrol;  
Chief Patrol Agents;  
Deputy Chief Patrol Agents

SOURCE OF AUTHORITY BEING DELEGATED

Homeland Security Act of 2002;  
Reorganization Plan of November 25, 2002, as  
amended January 30, 2003; DHS delegations  
effective this date, specifically including  
DHS Delegation No. 7010.3, subparagraph  
(2)(b)(21); 8 U.S.C. 1228(c)(5)

SUPERSEDED ORDER(S) (ORDER NUMBER(S) AND DATES(S) ONLY)

DELEGATION

Authority vested in me by the above-referenced provisions, to concur in stipulated judicial orders of removal issued pursuant to Title 8 U.S.C. 1228(c)(5).

This authority may be redelegated to a level within the Office of Border Patrol not lower than that of Patrol Agent in Charge.



Commissioner

U.S. Customs and Border Protection

USE ADDITIONAL PLAIN BOND IF NECESSARY

CBP Form 303 (04/03)

Office of the Associate Chief Counsel  
2401 Dodson Avenue  
Del Rio, Texas 78840  
(830) 778-7071  
(830) 778-7810 Fax


March 30, 2007

MEMORANDUM FOR: DAVID V. AGUILAR  
CHIEF PATROL AGENT

FROM:


 **b6 b7c**  
Chief Patrol Agent, Del Rio, Texas Sector

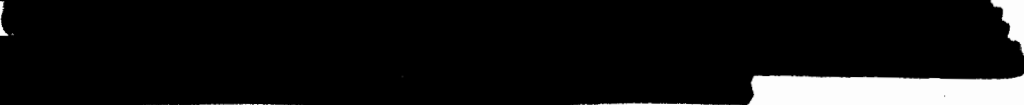
SUBJECT: Request for a Delegation of Authority from the Commissioner of CBP to Chief Patrol Agent, Del Rio, Texas Sector

As you know, the Del Rio Sector has been actively involved in Operation Streamline II. Alia Ludlum, U.S. District Judge for the Western District of Texas, Del Rio Division is a strong supporter of the operation, and has requested that our agency work with her so that she may accept Stipulated Judicial Removals (hereinafter "SJR's") on select aliens pursuant to INA § 238(c)(5). I believe it is in the best interests of the agency to  **b5**

The problem we encounter is that SJRs require the "*concurrence of the Commissioner*." INA § 101(a)(8) provides that the term "*Commissioner*" as used in the Act refers to the former Commissioner of INS. Since the reorganization, the authority of the former Commissioner of INS has been redistributed. The Secretary of Homeland Security has delegated his authority to remove aliens from the United States pursuant to INA § 238 to the Commissioner of CBP, as per DHS Delegation No. 7010.2 § (2)(B)(21). Hence, the Commissioner of CBP has the delegated authority to sign "*the concurrence of the Commissioner*" on SJRs.

Since the reorganization, this concurrence has typically come from the SACs for ICE, pursuant to their authority derived from DHS Delegation No. 0001. Logistically, however, it can be a difficult task for our personnel to secure a SAC's signature on a concurrence since the closest SAC is in San Antonio, Texas.

One could argue that  **b5**

On the other hand, 

Attached hereto for your review as an attachment is a sample Plea Agreement, Order of Removal, and Commissioner Concurrence that would be used on SJRs.

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO, TEXAS DIVISION

UNITED STATES OF AMERICA

v.

\_\_\_\_\_ Defendant.

§  
§  
§  
§  
§  
§

CASE NO: \_\_\_\_\_

ORDER OF REMOVAL

Defendant \_\_\_\_\_ and the United States of America (hereinafter referred to as "the Government") have jointly requested and stipulated to entry of a stipulated judicial order of removal, pursuant to 8 U.S.C. § 1228(c)(5). Pursuant to that stipulated request, the Court finds the following:

1. Defendant waived the right to notice and a hearing prior to removal from the United States
2. The Court should enter a judicial order that defendant be removed from the United States to \_\_\_\_\_

3. The facts in support of this request are as follows:

- a. Defendant is not a citizen or national of the United States;
- b. Defendant is a native and citizen of \_\_\_\_\_;
- c. Defendant is subject to removal from the United States;
- d. Defendant last entered the United States near \_\_\_\_\_, Texas on or about \_\_\_\_\_, by crossing the Rio Grande River at a time and place other than as designated by immigration officers for entry into the United States.
- e. Defendant is currently inadmissible to the United States pursuant to 8 U.S.C. § 1182(a)(6)(A)(i) (an alien present in the United States without being admitted or paroled, or who arrives in the United States at any time or place other than as designated by the Attorney General, is inadmissible).

4. Defendant's attorney has fully explained to Defendant his rights to be represented by an attorney before an immigration judge, to request a removal hearing before an immigration judge, and to apply for political asylum.

5. Defendant understood and knowingly waived his rights to be represented by an attorney before an immigration judge, and to apply for political asylum. Defendant further waived his right to a hearing before an immigration judge, or any other authority, under the Immigration and Nationality Act, on

the question of his removability from the United States. In this regard, Defendant understood and knowingly waived his rights to examine the evidence against him, to present evidence on his own behalf, and to cross-examine witnesses presented by the government.

6. Defendant has agreed that all factual allegations contained in the Plea Agreement and in this Order of Removal are true and correct.

7. Defendant has conceded that he is removable from the United States.

8. Defendant has agreed and stipulated to accept an order of removal knowing that it will result in his immediate removal from the United States upon completion of any period of incarceration. Defendant has agreed that the order be issued for his deportation to \_\_\_\_\_.

9. Defendant has knowingly waived any and all rights to appeal, reopen, or challenge in any way the order of removal.

10. In exchange for defendant's stipulation to an order of removal, the Government agreed to request at sentencing that Defendant be incarcerated for a term no longer than \_\_\_\_\_ days for his criminal violation. The Court hereby acknowledges that the Government has in fact requested that Defendant be incarcerated for a term no longer than \_\_\_\_\_ days for the criminal violations to which he is pleading guilty in this case.

11. Defendant is entering into this stipulation as a condition of his plea agreement in which he agrees with the United States to plead guilty to \_\_\_\_\_ in violation of \_\_\_\_\_ U.S.C. § \_\_\_\_\_.

12. Defendant has agreed with the Government as a condition of his plea agreement to entry of a judicial order of removal.

Therefore, IT IS ORDERED pursuant to 8 U.S.C. §§ 1192(a)(6)(A)(i), 1227(a)(1)(A) and 1228(b)(5) that defendant be removed from the United States to \_\_\_\_\_ and that promptly upon his release from confinement, United States Immigration and Customs Enforcement shall execute this ORDER of removal according to the applicable laws and regulations of the United States.

ENTERED on this \_\_\_\_\_ day of \_\_\_\_\_ 2007

\_\_\_\_\_  
United States Magistrate Judge Presiding

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO, TEXAS DIVISION

UNITED STATES OF AMERICA

v.

\_\_\_\_\_  
Defendant.

§  
§  
§  
§  
§

CASE NO: \_\_\_\_\_

PLEA AGREEMENT AND REQUEST FOR ENTRY OF STIPULATED JUDICIAL ORDER OF  
REMOVAL

Defendant \_\_\_\_\_ and the United States of America (hereinafter referred to as "the Government") hereby agree and stipulate pursuant to 8 U.S.C. § 1228(c)(5), to the following:

1. Defendant waives the right to notice and a hearing prior to removal from the United States.
2. The Court should enter a judicial order that defendant be removed from the United States to \_\_\_\_\_.

The facts in support of this request are as follows:

- a. Defendant is not a citizen or national of the United States;
- b. Defendant is a native and citizen of \_\_\_\_\_;
- c. Defendant is subject to removal from the United States;
- d. Defendant last entered the United States near \_\_\_\_\_, Texas on or about \_\_\_\_\_ by crossing the Rio Grande River at a time and place other than as designated by immigration officers for entry into the United States;

e. Defendant is currently inadmissible to the United States pursuant to 8 U.S.C. § 1182(a)(6)(A)(i) [an alien present in the United States without being admitted or paroled, or who arrives in the United States at any time or place other than as designated by the Attorney General, is inadmissible];

4. Defendant's attorney has fully explained to Defendant his rights to be represented by an attorney before an immigration judge, to request a removal hearing before an immigration judge, and to apply for political asylum;

5. Defendant understands and knowingly waives his rights to be represented by an attorney before an immigration judge, and to apply for political asylum. Defendant further waives his right to a hearing before an immigration judge, or any other authority under the Immigration and Nationality Act, on the question of his removability from the United States. In this regard, Defendant understands and

knowingly waives his rights to examine the evidence against him, to present evidence on his own behalf and to cross-examine witnesses presented by the Government.

7. Defendant agrees that all factual allegations contained in the Plea Agreement and in the Order of Removal are true and correct.

8. Defendant concedes that he is removable from the United States.

9. Defendant agrees and stipulates to accept an order of removal knowing that it will result in his immediate removal from the United States upon completion of any period of incarceration. Defendant agrees that the order be issued for his deportation to \_\_\_\_\_.

10. Defendant knowingly waives any and all rights to appeal, reopen, or challenge in any way the order of removal.

11. In exchange for defendant's stipulation to an order of removal, the Government agrees to request at sentencing that Defendant be incarcerated for a term no longer than \_\_\_\_\_ days for his criminal violation. Defendant, however, acknowledges that the Government's sentencing request is not binding on this Court, and further that this Court may choose to impose a prison sentence of greater than \_\_\_\_\_ days without violating this agreement.

12. Defendant enters into this stipulation as a condition of his plea agreement in which he agrees with the United States to plead guilty to \_\_\_\_\_ violation of \_\_\_\_\_ U.S.C. § \_\_\_\_\_.

13. Defendant agreed with the Government as a condition of his plea agreement to entry of a judicial order of removal.

14. Accordingly, defendant and the Government jointly request that the Court, after imposing Sentence, order that defendant be removed from the United States so that promptly upon his release from confinement, United States Immigration and Customs Enforcement may execute the order of removal according to the applicable laws and regulations.

SO STIPULATED

[REDACTED] b6, b7C  
United States Attorney  
111 E Broadway STE 300  
Del Rio TX 78840  
[REDACTED] b2, b6, b7C

By: [REDACTED] b6, b7C  
Special Assistant U.S. Attorney

ATTORNEYS FOR THE GOVERNMENT

This stipulation has been read to me in Spanish, the language I understand best, and I have carefully discussed every part of it with my attorney. I understand the terms of this stipulation, and I voluntarily agree to those terms.

\_\_\_\_\_  
DEFENDANT

\_\_\_\_\_  
Date

I, \_\_\_\_\_, am fluent in written and spoken Spanish and English languages. I accurately translated this entire stipulation from English into Spanish to Defendant on this date:

\_\_\_\_\_  
interpreter

\_\_\_\_\_  
Date

I am Defendant's attorney. I have carefully discussed this stipulation with my client. To my knowledge, my client's decision to enter into this agreement is an informed and voluntary one.

\_\_\_\_\_  
DEFENDANT'S ATTORNEY

\_\_\_\_\_  
Date

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO, TEXAS DIVISION

UNITED STATES OF AMERICA

v.

§  
§  
§  
§  
§

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
Defendant.

CONCURRENCE

Based on the factual allegations in the stipulated request for judicial removal in the above captioned matter, on behalf of the Commissioner for United States Customs and Border Protection, United States Department of Home and Security (DHS-CBP), pursuant to the authority delegated to me on \_\_\_\_\_, 2007 in CBP Delegation Order No. \_\_\_\_\_, I concur in the request of the above-referenced Defendant and the United States Attorney that a judicial order of removal be entered in this case.

Dated: \_\_\_\_\_

\_\_\_\_\_  
b6, b7c  
Chief Patrol Agent  
Del Rio, Texas Sector  
United States Border Patrol

[Redacted]

Not responsive to FOIA request

[Redacted]

[Redacted]

Del Rio:

[Redacted]

Not responsive to FOIA request

- Since the Stipulated Removal detail has begun, the team has offered 141 Stipulated Removals, 124 aliens have accepted the STIPS and have agreed to be repatriated to their country of origin. On average there is an 87.9% acceptance rate.

[Redacted]

Not responsive to FOIA request

Marfa:


UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE OF IMMIGRATION REVIEW  
UNITED STATES IMMIGRATION COURT  
401 West A Street, Suite 800  
San Diego, California 92101

File: A 00 000 000

Date: \_\_\_\_\_

In the Matter of

IN REMOVAL PROCEEDINGS

 Respondent.

**ORDER OF REMOVAL**

Upon consideration of the respondent's Request for a Stipulated Order of Removal, and the Concurrence of the Department of Homeland Security, it is:

**ORDERED** that the Respondent be removed from the United States to Mexico pursuant to the charge contained in the respondent's Notice to Appear.

\_\_\_\_\_  
United States Immigration Judge

**CERTIFICATE OF SERVICE**

This order was served by: Mail [M] : Personal Service [P]  
upon the [ ] respondent; [ ] counsel for the respondent; [ ] Department of Homeland Security.

Date: By:

\_\_\_\_\_  
Court Staff

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
SAN DIEGO, CALIFORNIA

FILE NO: A 00 000 000 )  
NÚMERO DE EXPEDIENTE: )

) IN REMOVAL PROCEEDINGS  
) EN PROCESO DE EXPULSIÓN

IN THE MATTER OF: )  
EN LA CAUSA DE: )

[REDACTED] b6, b7c )  
Respondent )  
Compareciente )

STIPULATED REQUEST FOR REMOVAL ORDER  
AND WAIVER OF HEARING

PETICIÓN PARA UNA ORDEN  
DE EXPULSIÓN POR ACUERDO  
Y RENUNCIA DE AUDIENCIA

I, [REDACTED] b6, b7c understand that I am in proceedings to determine if I am removable from the United States. By personally initialing the boxes below, I signify that I make the following statements and admissions:

Yo, [REDACTED] b6, b7c comprendo que estoy en este proceso para decidir si puedo ser expulsado de los Estados Unidos. Declaro lo siguiente y admito:

1. I am at least 18 years of age. I have had at least 6 years of formal education and am able to read and write either English or Spanish or both.

*Tengo por lo menos 18 años de edad. He cursado por lo menos seis años de instrucción formal y sé leer y escribir en Inglés o Español o en ambos.*

2. I have received and I have read or had read to me a copy of the Notice to Appear (NTA) dated August 6, 2007. The name listed on the NTA as the respondent is my full, true and correct name.

*He recibido y he leído o se me ha leído una copia del Aviso de Comparecencia fechada 6 de Agosto 2007. El nombre del compareciente que consta en el aviso de comparecencia es mi nombre verdadero, completo y correcto.*

3. I understand all of the factual allegations and the charge(s) in the NTA. I admit that all of the factual allegations contained in the NTA are true and correct. None of my parents or grandparents were or are United States citizens or nationals and I make no claim to United States citizenship or nationality. I also agree that I am inadmissible or deportable and will be removed from the United States based on the charge(s) on the NTA. No one has made any representations to me as to the actual date by which I will physically be removed from the United States. I realize and understand that all reasonable efforts will be made to effect my removal as soon as possible after the entry of a final order of removal.

*Entiendo todos los alegatos fácticos y el/los cargo(s) del Aviso de Comparecencia. Admito que todos los alegatos fácticos indicados en el Aviso de Comparecencia son correctos y verdaderos. Ni mis padres ni mis abuelos son o fueron ciudadanos ni nacionales de los Estados Unidos y yo no reclamo ser ciudadano ni nacional de Los Estados Unidos. También estoy de acuerdo que soy deportable o no soy admisible y seré expulsado de los Estados Unidos basado en el/los cargo(s) del Aviso de Comparecencia. Entiendo que nadie me ha prometido que me expulsarán para cierta fecha de los Estados Unidos. Tengo en cuenta y entiendo que se tomarán todas las medidas razonables para que se efectue mi expulsión lo más pronto posible después de que el juez haya expedido una orden definitiva de expulsión.*

4. I understand that I have the following rights and privileges and that, by signing this stipulated request for removal, and by personally initialing the boxes below, I signify that I understand the following rights and privileges, and I expressly give up and waive each right knowingly, intelligently, and voluntarily:

*Entiendo que tengo los siguientes derechos y privilegios, y que al firmar esta petición de expulsión por acuerdo, y al personalmente poner mis iniciales en las casillas a seguir, yo hago constar que entiendo los siguientes derechos y privilegios y que renuncio y desisto expresamente a cada uno de los derechos de manera consciente, voluntaria y con conocimiento.*

- a. The right to be represented by a lawyer or other qualified person at no expense to the government of the United States. I have also been provided with a copy of the list of legal service providers published by the Executive Office for Immigration Review. I hereby waive my right to be represented in this proceeding. I will represent myself in this proceeding.

*El derecho de ser representado por un abogado u otra persona autorizada para representarme, sin costo alguno al gobierno de los Estados Unidos. También se me ha dado una copia de la lista de servicios legales publicada por la Oficina Ejecutiva para Revisión de Inmigración. Por la presente, renuncio a mi derecho de ser representado en este proceso. Me representaré a mí mismo en este proceso.*

- b. The right to a hearing before an Immigration Judge during which hearing I would have had the following rights:

*El derecho a una audiencia ante un Juez de Inmigración durante la cual tendría los siguientes derechos:*

- (I) The right to question witnesses;  
*El derecho al careo de testigos;*

- (II) The right to offer and object to evidence;  
*El derecho de presentar y objetar a pruebas*

- (III) The right to require the government to prove that I am removable from the United States  
*El derecho de exigir que el gobierno compruebe que soy expulsable de los Estados Unidos;*

- (IV) The right to apply for any and all relief from removal for which I might be eligible under the Immigration and Nationality Act or any other provision of law, including any relief which may allow me to remain in the United States legally, protect me from return to a country where I may be persecuted or tortured, or permit me to depart voluntarily instead of by a formal order of removal.

*El derecho de solicitar algún o todos los recursos para los cuales pudiese calificar para evitar la expulsión según la Ley de Inmigración y Nacionalidad o según alguna otra disposición de la ley, incluyendo cualquier recurso que me permita permanecer legalmente en los Estados Unidos, proteja de regresar a un país donde pudiera ser perseguido o torturado, o me permita partir voluntariamente en vez de partir bajo una orden oficial de expulsión.*

- (V) The right to appeal to the Board of Immigration Appeals any adverse decision entered by the Immigration Judge.  
*El derecho de apelar a la Junta de Apelaciones de Inmigración cualquier decisión adversa dictaminada por el Juez de Inmigración.*

5. I understand that if I wish to request any relief from removal, I should request a formal hearing before an Immigration Judge. Such relief may include, but is not limited to, voluntary departure, asylum, withholding of removal, relief under Article 3 of the United Nations Convention Against Torture, adjustment

of status, change of status, suspension of deportation or cancellation of removal, registry, any waivers of inadmissibility or deportability and the right to have the Immigration Judge examine any claim I may have to United States citizenship. I do not want to apply for any relief from removal for which I may be eligible. A visa petition to grant me lawful permanent resident immigrant status has never been filed on my behalf. I have never applied for legalization under any amnesty law. If I applied for legalization under any amnesty law and that application was denied, I give up the right to judicial review of that denial.

*Comprendo que si yo quiero petitionar cualquier recurso para evitar la expulsión, debo pedir una audiencia en la que compareceré ante un Juez de Inmigración. Tal recurso puede incluir, pero no limitarse a partida voluntaria, asilo, retención de expulsión, recurso según el Artículo 3 del Convenio de las Naciones Unidas contra la Tortura, regularización de estado migratorio, cambio de estado migratorio, suspensión de deportación o cancelación de expulsión, registro, cualquier recurso que lo exima de la inadmisibilidad o deportabilidad y el derecho de que un Juez de Inmigración analice cualquier reclamación a ciudadanía Norteamericana. No quiero solicitar ningún recurso para evitar la expulsión para el cual yo pudiera calificar. Jamás se ha presentado una petición de visa para que se me otorgue el estado migratorio de residencia permanente legal. Yo jamás he solicitado legalización bajo cualquier disposición de ley de amnistía. Si solicite legalización según cualquier disposición de ley de amnistía, y esa solicitud fue denegada, renuncio al derecho de una revisión judicial de esa denegación.*

6. Knowing and understanding the above rights and privileges, I voluntarily waive each and every one of them and request that my removal proceedings be held without a hearing before an Immigration Judge and that the Immigration Judge issue an order based solely on the written record which will include this stipulation as an exhibit.

*Sabiendo y entendiendo los derechos y privilegios arriba mencionados, Yo renuncio voluntariamente a todos y cada uno de ellos, y peticiono que mi proceso de expulsión proceda sin audiencia ante un Juez de Inmigración y que el Juez de Inmigración expida una orden basada únicamente en el acta escrita que incluirá este acuerdo como objeto de prueba.*

7. I choose **MEXICO** as the country to be designated for removal. I am afraid of no one in that country. I have not been harmed in the past in that country. I have no fear of future harm in that country. I have no fear of returning to that country.

*Elijo **MEXICO** como el país que será designado para la expulsión.*

*No siento temor de ninguna persona en ese país. No he sido lesionado en el pasado en ese país. No siento temor de lesión futura en ese país. No siento temor de regresar a ese país.*

8. I understand that, depending upon the facts and circumstances of my case, I will not legally be permitted to return to the United States for a minimum of ten years and possibly forever without special permission from the Attorney General of the United States. I also understand that returning without lawful permission could result in again being removed from the United States and/or being prosecuted criminally for illegal reentry which may result in punishment including a possible fine and/or imprisonment. I understand that if I am a lawful resident of the United States, I will lose that status if I am ordered removed. I further understand that I may never again be allowed to reacquire that status.

*Comprendo que dependiendo de los hechos y circunstancias de mi caso, no se me permitirá regresar legalmente por un plazo mínimo de diez años y posiblemente por vida a los Estados Unidos sin un permiso especial del Procurador General de los Estados Unidos. También entiendo que regresar sin permiso legal podría resultar nuevamente en ser expulsado de los Estados Unidos y/o ser enjuiciado penalmente por reingreso ilegal, lo cual podría terminar en un castigo, incluyendo posible multa y/o encarcelamiento. Entiendo que si soy un residente legal de los Estados Unidos, perderé ese estado migratorio si se ordena mi expulsión. Además entiendo que tal vez jamás se me permitirá readquirir ese estado migratorio.*

9. I understand and agree to accept a written order for my removal as a final disposition of these proceedings. I waive my right to appeal the decision of the Immigration Judge.

*Comprendo y estoy de acuerdo en aceptar una orden escrita para mi expulsión como resolución definitiva de este proceso. Renuncio a mi derecho de apelar la orden del Juez de Inmigración.*

10. I ask that, if my request for entry of a stipulated order of removal is rejected by the Immigration Judge, my case be transferred immediately to the calendar of the Immigration Court which has jurisdiction over the detention facility where I am detained. Further, I waive the opportunity to submit comment regarding any motion by the Government to have my case transferred to such Court.

*Si mi solicitud para que se expida una orden de expulsión por acuerdo es rechazada por el Juez de Inmigración, peticiono que, mi caso sea*

*inmediatamente transferido a la lista de juicios del Tribunal de Inmigración que tenga la jurisdicción sobre el centro de detención donde estoy detenido. Además, renuncio a la oportunidad de responder a cualquier pedimento del gobierno para trasladar mi caso a dicho tribunal.*

11. The DHS Officer has asked me if I have read and understood the entire Stipulated Removal Request. I fully understand its contents and consequences.

*El funcionario del Departamento de Seguridad Interna me preguntó que si leí y entendí completamente esta petición por acuerdo para expulsión. Entiendo plenamente el contenido y las consecuencias de este.*

12. I submit this request for removal voluntarily, knowingly and intelligently. I have not been coerced or forced by anyone to sign this document and no promises have been made to me except as expressly set forth herein. I realize that by signing the stipulation, I will be removed from the United States.

*Presento esta petición de expulsión de manera voluntaria, consciente y con conocimiento. No he sido coaccionado o forzado por ninguna persona a firmar este documento y no se me han hecho promesas salvo las que están expresamente estipuladas en este mismo. Tengo en cuenta que al firmar este acuerdo, seré expulsado de los Estados Unidos.*

13. I certify, under penalty of perjury under the laws of the United States of America, that the foregoing statements are all true and correct. Title 18, United States Code, Section 1546 provides, in part: "Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or knowingly presents any such application, affidavit or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement or which fails to contain any reasonable basis in law or fact shall be fined in accordance with this title or imprisoned not more than five years, or both."

*Certifico sobre pena de perjurio según las leyes de los Estados Unidos de Norteamérica, que todas las declaraciones anteriormente mencionadas son ciertas y verdaderas. Tomo 18, Código Federal de los Estados Unidos de Norteamérica, Artículo 1546 dispone, en parte, "Quien a sabiendas declara bajo juramento, o como le es permitido bajo pena de perjurio según el Artículo 1746 del Tomo 28 del Código Federal de los Estados Unidos de*

Norteamérica, a sabiendas firma bajo juramento indicando por esta ser cierto, cualquier declaración falsa referente a un hecho de importancia en cualquier solicitud, declaración bajo juramento o a sabiendas presenta cualquier dicha solicitud, declaración bajo juramento, o cualquier otro documento requerido por las leyes de inmigración o reglamentos provistos en estas mismas, o a sabiendas presenta dicha solicitud, declaración bajo juramento, u otro documento que contenga cualquier dicha declaración falsa o que no tenga fundamento razonable de hecho o legal será multado(a) de acuerdo con este Tomo o encarcelado(a) por no más de cinco años o ambos castigos.”

**August 6, 2007**

Date

*Fecha*

\_\_\_\_\_  
Respondent

*Compareciente*

\_\_\_\_\_  
Signature of Government Witness

*Firma del Testigo del Gobierno*

**Byme Doughnuts**

**Border Patrol Agent**

Printed Name And Title of Government Witness

*En Letra Molde Nombre y Título del Testigo*

*Gubernamental*

CERTIFICATION

CERTIFICACIÓN

\_\_\_ I certify that I determined that the above-referenced respondent could read by asking the respondent to read to me paragraphs: 3, 4a and 6 of this Stipulated Request for Removal.

\_\_\_ *Certifico que determiné que el compareciente arriba mencionado sabe leer al pedirle que me leyera los párrafos: 3, 4a y 6 de esta petición de expulsión por acuerdo .*

-Or-

-O-

\_\_\_ I certify that this document was read to the respondent in its entirety in the English / Spanish language.

\_\_\_ *Certifico que este documento le fue leído completamente al compareciente en el idioma English / Spanish.*

August 6, 2007

Date  
*Fecha*

\_\_\_\_\_  
Signature of Government Official  
*Firma Del Funcionario Gubernamental*

Byrne Doughnuts

Border Patrol Agent

Printed Name and Title of Government Official  
*Escrito En Letra Molde Nombre y Titulo Del Funcionario Gubernamental*

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE OF IMMIGRATION REVIEW  
UNITED STATES IMMIGRATION COURT  
SAN DIEGO, CALIFORNIA

File No.: **A 00 000 000** )  
 )  
In the Matter of ) **IN REMOVAL PROCEEDINGS**  
 )  
**Jose Luis RAMIREZ-Dorantes** )  
 )  
Respondent. )  
\_\_\_\_\_ )

**CONCURRENCE OF THE DEPARTMENT OF HOMELAND  
SECURITY WITH THE STIPULATED ORDER OF REMOVAL**

Upon review of the above-named Respondent's file and Respondent's Request for Stipulated Order of Removal, the United States Department of Homeland Security (hereinafter "Government") concurs with, and does not oppose, the said request and Respondent's request that an order of removal be issued. The DHS computer indices have been reviewed for the name furnished by the Respondent and reveal that the Respondent has filed no claim to United States citizenship or nationality, has no application for legalization under sections 245A or 210 of the Act pending, and that no visa petition has been approved on Respondent's behalf. The Government hereby waives a personal hearing in these proceedings and will accept a written order of Respondent's removal as final disposition of these proceedings.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Assistant Chief Counsel


 b2  
MEMORANDUM FOR: Commissioner

FROM: David V. Aguilar  
Chief  
U.S. Border Patrol

Jayson P. Ahern  
Assistant Commissioner  
Office of Field Operations

SUBJECT: Delegation of Concurrence Authority for Stipulated Judicial  
Removal for Offices of Border Patrol and Field Operations.

Pursuant to Section 238 (C) (5) of the Immigration and Nationality Act as amended, I request that you delegate concurrence authority for Stipulated Judicial Orders of Removal (SJR), via the attached delegation order, to Sector Chief Patrol Agents, Directors of Field Operations, Deputy Chief Patrol Agents and Port Directors. I believe that this delegation is in the best interest of the government, and is necessary for the efficient operation of U.S. Customs and Border Protection. As stated on the delegation order, this authority may be further delegated to the level of Patrol Agent in Charge or Assistant Port Director.

Staff may direct questions to the Associate Chief of the Policy Branch, Office of Border Patrol, Operations Planning and Analyses Division at  or ???  
Office of Field Operations at (202) 344-????? (b7c)

[REDACTED] ybz

bcc: [REDACTED] ybz  
Master Log