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Non-Detained

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
880 Front Street, Suite 4240
San Diego, CA 92101

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In the Matter of	)	
	)	
	)	
Lucas Santos da Silva	)	File No. A. 210-670-359
	)	
	)	
In Removal Proceedings	)	
_____	)	

Immigration Judge: Attia, Olga E. **Next Hearing Date:** September 1, 2026 at 9:30 AM.

RESPONDENT’S ALTERNATIVE MOTION FOR VIDEO APPEARANCE

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
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In the Matter of

Lucas Santos da Silva

In Removal Proceedings

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File No. A. 210-670-359

RESPONDENT’S ALTERNATIVE MOTION FOR VIDEO APPEARANCE

The Respondent, through undersigned counsel, respectfully submits this Alternative Motion for Video Appearance in connection with the upcoming Master Calendar Hearing currently scheduled for **September 1st, at 9:30 AM.**, and in support thereof states the following:

The Respondent has previously filed a Motion to Continue in compliance with the Court’s procedures. However, should the Court deny the Motion to Continue and require the Respondent’s and counsel’s appearance, Respondent respectfully requests permission for Respondent and counsel to appear at the hearing via videoconference.

This Motion is made in good faith, with the purpose of ensuring Respondent’s meaningful participation in the proceedings while addressing significant logistical challenges, and is consistent with principles of judicial efficiency and access to justice.

As counsel representing numerous clients in immigration proceedings, the ability to appear by Webex is essential to ensuring that counsel can provide effective and meaningful legal representation while managing court obligations in multiple jurisdictions.

Additionally, Respondent's counsel recently assumed representation in this matter. This request is made to ensure that Respondent is able to proceed with his chosen counsel while avoiding unnecessary delay, expense, and disruption to the effective preparation of his case.

Furthermore, Master Calendar Hearings are procedural in nature and do not involve witness testimony, credibility determinations, or evidentiary presentations that would mandate the Respondent's in-person appearance.

The Immigration Court has authority to permit video teleconference (VTC) appearances pursuant to 8 C.F.R. § 1003.25(c), which provides that: "*An Immigration Judge may conduct hearings through video conference to the same extent as he or she may conduct hearings in person*".

Permitting video appearance will not prejudice the parties or the proceedings. The technology used for video conferences allows for clear communication between the parties, and the court can still effectively conduct the proceedings and assess the evidence presented.

Accordingly, Respondent respectfully submits that good cause exists for granting this Motion, and that doing so is consistent with the interests of justice, fairness, and efficient case management.

CONCLUSION

For the reasons previously outlined, the Respondent respectfully requests that, in the event the Motion to Continue is not granted, **the Court permits both the Respondent and counsel to appear at the Master Calendar Hearing by**

videoconference. Alternatively, if the Respondent's in-person appearance is required, Respondent respectfully asks **the court to allow legal counsel to attend the hearing via videoconference, while the Respondent be present physically.**

Respectfully submitted,



Otavio Silva (Bar N. 343486)
Attorney at Law
P.O. Box 90487
San Diego, CA 92169
Counsel for Respondent

Proof of Service

On this day, I, Otavio Haverroth Silva, served a copy of the following documents:

RESPONDENT'S ALTERNATIVE MOTION FOR VIDEO APPEARANCE

To the following:

Office Location:	Mailing Address:
Office of the Principal Legal Advisor Department of Homeland Security 880 Front Street, Room 2246 San Diego, CA 92101	US Immigration and Customs Enforcement US Department of Homeland Security Office of the Principal Legal Advisor 880 Front Street, Room 2246 San Diego, CA 92101

by:

- ☒ Through the EOIR Courts and Appeals System (ECAS), which will automatically send service notification to both parties that a new document has been filed.



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