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Non-Detained

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
1241 E. Dyer Road, Suite 200
Santa Ana, CA 92705

In the Matter of	)	
	)	
Amanda Martins	)	**File No. A 256-049-798**
	)	
In Removal Proceedings	)	
	)	

RESPONDENT'S MOTION TO REOPEN PROCEEDINGS AND RESCIND IN ABSENTIA REMOVAL ORDER

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I. INTRODUCTION

Respondent, Amanda da Silva Martins (A# 256-049-798), respectfully moves this Honorable Court, pursuant to INA § 240(b)(5)(C)(ii), 8 U.S.C. § 1229a(b)(5)(C)(ii), and 8 C.F.R. § 1003.23(b)(4)(ii), to rescind the *in absentia* removal order entered on July 15, 2026, and reopen these proceedings. This motion rests on two independent grounds.

First, and most compellingly, Respondent never received constitutionally adequate notice of the hearing at which she was ordered removed, or any notice of any kind relating to these proceedings. Respondent entered the United States lawfully on a B-2 visa on September 25, 2024. *See* Exhibit 1. She actively and in good faith engaged with the immigration system by filing Form I-539 and, critically, updating her address with USCIS on April 10, 2026, more than two months before her case was ever docketed with the Immigration Court. *See* Exhibits 3 and 4. Despite this proactive compliance, Respondent never received the Notice to Appear, any Notice of Hearing, or the subsequent Order of Removal. *See* Evidence, Respondent's Declaration. Because the Government cannot demonstrate that the required written notice under INA § 239(a) was provided, rescission is mandatory under INA § 240(b)(5)(C)(ii).

Second, even if this Court were to find notice legally sufficient, which Respondent expressly denies, reopening is independently warranted based on changed personal circumstances and a new available path to relief: Respondent married a United States citizen on September 9, 2025, prior to the docketing of these proceedings, and a Form I-130 Petition for Alien Relative has been filed on her behalf. *See* Exhibit 2; *see also* Evidence Part 01. As the spouse of a U.S. citizen who entered the United States lawfully on a nonimmigrant visa, Respondent is prima facie eligible for adjustment of status under INA § 245(a): a form of relief that would be foreclosed absent reopening.

II. PROCEDURAL HISTORY

Respondent Amanda da Silva Martins is a native and citizen of Brazil. On September 25, 2024, Respondent entered the United States lawfully at a designated port of entry as a nonimmigrant visitor, bearing a valid B-2 nonimmigrant visa. Her I-94 Arrival/Departure Record No. 186140278A4, attached hereto as Exhibit 1, reflects this lawful admission.

Upon arrival, Respondent began her stay in California as a visitor. On September 9, 2025, Respondent married Anahi Valdivia, a United States citizen, in Los Angeles, California. *See* Exhibit 2.

On September 20, 2025, Respondent filed Form I-539 (Application to Extend/Change Nonimmigrant Status) with U.S. Citizenship and Immigration Services (USCIS). Respondent later withdrew the I-539 application on March 4, 2026, which USCIS acknowledged on March 5, 2026, terminating all action regarding that application. *See* Exhibit 3.

Despite withdrawing the application, Respondent promptly engaged with her family-based immigration pathway and began gathering the documentation necessary to file a Petition for Alien Relative (Form I-130) and an Application to Register Permanent Residence or Adjust Status (Form I-485), given she had a new path to lawful permanent residence. *See* Evidence and Evidence Part 01.

On April 10, 2026, despite having no pending applications, and with the intent of maintaining a good-faith record rather than absconding from immigration proceedings, Respondent proactively updated her address through her USCIS online account. This update was made voluntarily, in good faith, and reflects Respondent's consistent effort to maintain accurate contact information with immigration authorities. *See* Exhibit 4; *see also* Evidence.

According to automated case information obtained from the Executive Office for Immigration Review (EOIR), Respondent's case was docketed with the Santa Ana Immigration

Court on June 16, 2026. Respondent was never served with a Notice to Appear (NTA) or otherwise informed that removal proceedings had been initiated against her. She did not receive any Notice of Hearing, any correspondence from the Immigration Court, or any other communication of any kind relating to these proceedings. *See* Evidence.

On July 15, 2026, the Immigration Judge entered an order of removal in absentia against Respondent. Respondent was entirely unaware of the proceedings, any scheduled hearing, or the resulting removal order.

Following the withdrawal of her Application to Extended Nonimmigrant Status, Respondent received no communication of any kind from the Department of Homeland Security (DHS) until August 21, 2026, when she received a notice to appear for case review from the U.S. Immigration and Customs Enforcement (ICE). *See* Exhibit 5; *see also* Evidence. The notice directed Respondent to appear for an interview regarding the status of her immigration case and to address potential adjustments related to her custody or conditions of release. It was only upon receiving this communication that Respondent first became aware of the existence of an in absentia removal order entered against her on July 15, 2026, by checking her issued A-number into the EOIR public information system. *See* Evidence.

Upon learning of the removal order, Respondent diligently searched for any legal correspondence or other mail that she may have overlooked at both her current and former addresses, but found none; she confirmed with her former roommate that no mail or legal correspondence had been received on her behalf at her previous address. Because Respondent never received any notice whatsoever concerning these removal proceedings, undersigned counsel cannot attest to whether any notice was purportedly sent to Respondent, the address to which it may have been directed, or the manner in which it was allegedly served. Respondent can, however, unequivocally attest that she never actually received any notice of these proceedings, including notice of the hearing that resulted in the in absentia removal order. *See* Evidence.

On August 22, 2026, a Form I-130 (Petition for Alien Relative) was filed with USCIS on Respondent's behalf by her U.S. citizen spouse, Anahi Valdivia. At the time of filing of this motion, USCIS has not yet issued a receipt notice; the petition and its supporting documents are submitted herewith as additional evidence of Respondent's eligibility for relief. *See* Evidence Part 01.

Respondent never received any immigration notice at any address, by any means. Had she received notice, she would have appeared. Her consistent engagement with the immigration system leaves no doubt that her intent has always been to comply, not to abscond.

Respondent is currently scheduled to appear before ICE on September 2, 2026, and faces imminent risk of removal if this motion is not adjudicated promptly. *See* Exhibit 5.

III. TIMING OF THIS MOTION: NO FILING DEADLINE APPLIES

This motion is timely as a matter of law. A motion to rescind an in absentia removal order based on lack of proper notice under INA § 239(a) may be filed at any time, without limitation. INA § 240(b)(5)(C)(ii), 8 U.S.C. § 1229a(b)(5)(C)(ii); 8 C.F.R. § 1003.23(b)(4)(ii). There is no filing deadline and no numerical bar applicable to motions premised on lack of notice. *See Matter of Bulnes,* 25 I&N Dec. 57 (BIA 2009) (motion to reopen for lack of notice may be filed even after departure). Accordingly, this motion is procedurally proper without regard to the time elapsed since entry of the removal order.

IV. FILING FEE: NOT REQUIRED

No filing fee is required for this motion. Where the basis for a motion to reopen is lack of proper notice in removal proceedings, the applicable regulation expressly waives the filing fee. 8 C.F.R. § 1003.24(b)(2)(iii). Because this motion is grounded first and foremost on Respondent's failure to receive proper notice under INA § 239(a), no fee accompanies the filing.

V. AUTOMATIC STAY OF REMOVAL

The filing of this motion automatically stays Respondent's removal pending the Court's disposition. INA § 240(b)(5)(C); 8 C.F.R. § 1003.23(b)(4)(ii). *See Matter of Rivera,* 21 I&N Dec. 232, 234 (BIA 1996).

Respondent is currently scheduled to appear before ICE on September 2, 2026, to review her immigration status and custody arrangements, placing Respondent at an **imminent risk of removal** before the Court has an opportunity to adjudicate the present Motion. *See* Exhibit 5. Accordingly, Respondent respectfully requests that ICE be notified of the filing and of the applicability of the automatic stay of removal provision, so that Respondent is not removed while the Motion remains pending before the Court.

VI. LEGAL STANDARD

An Immigration Judge may enter an in absentia removal order only if DHS establishes by clear, unequivocal, and convincing evidence that the written notice required under INA § 239(a)(1) or § 239(a)(2) was provided and that the respondent is removable. INA § 240(b)(5)(A).

An in absentia order "shall be rescinded" upon a motion to reopen filed at any time if the respondent demonstrates that she "did not receive notice in accordance with paragraph (1) or (2)" of INA § 239(a). INA § 240(b)(5)(C)(ii); 8 C.F.R. § 1003.23(b)(4)(ii). The statute's mandatory language — "shall be rescinded" — leaves no room for discretion: once lack of the required notice is established, rescission follows as a matter of law.

Separately, the Court possesses authority to reopen proceedings *sua sponte* at any time in the interest of justice. 8 C.F.R. § 1003.23(b)(1). In addition, proceedings may be reopened based on new facts or circumstances arising subsequent to the prior proceedings that bear on the respondent's eligibility for relief. INA § 240(c)(7)(B); 8 C.F.R. § 1003.23(b)(3).

VII. ARGUMENT

A. Respondent Never Received the Notice to Appear or Hearing Notice, Requiring Rescission of the In Absentia Removal Order Pursuant to INA § 240(b)(5)(C)(ii)

The INA requires that the NTA be served on the respondent "in person or, if personal service is not practicable, through service by mail" INA § 239(a)(1); 8 C.F.R. § 1003.18(b). Although Respondent updated her address upon moving through her USCIS online account, she did not receive the Notice to Appear at any time at the indicated address. Neither by personal service nor through service by mail. *See* Evidence; *see also* Exhibit 4.

An in absentia removal order may be entered only if DHS establishes by clear, unequivocal, and convincing evidence that the required written notice was provided. INA § 240(b)(5)(A). Where that burden is not met, rescission is mandatory. INA § 240(b)(5)(C)(ii).

Respondent attests unequivocally that she never received the NTA, any Notice of Hearing, or the Order of Removal at any address, at any time, by any means. She had no knowledge that removal proceedings had been initiated against her until she received an official notification from ICE and, upon searching her A-number through the automated case information system, discovered for the first time that an in absentia order of removal had been entered against her. *See* Evidence.

This is not a case of willful avoidance or neglect: Respondent entered the United States lawfully, actively engaged with the immigration system by filing Form I-539 and, upon marrying a U.S. citizen, subsequently withdrew that petition in order to initiate the family-based immigrant visa process through the filing of a Petition for Alien Relative (Form I-130), reflecting her consistent and unwavering intent to maintain lawful status in the United States. *See* Evidence. She also proactively updated her address with USCIS on April 10, 2026, more than two months before the issuance of a Notice to Appear or the docketing of the case with the Immigration Court on June 16, 2026. *See* Evidence; *see also* Exhibit 4. She had every reason to want to regularize her status and no reason whatsoever to evade notice.

The BIA has recognized that the presumption of delivery for regular mail is rebuttable and "weak," and may be overcome by a respondent's sworn declaration together with circumstantial evidence supporting non-receipt. *See Matter of M-R-A-*, 24 I&N Dec. 665, 673–74 (BIA 2008). The BIA's non-exhaustive list of relevant factors includes: *i)* whether the respondent has a motive to appear and contest proceedings, *ii)* her conduct following alleged service, *iii)* and any corroborating evidence. *Id.* at 673–74. Here, every factor favors the Respondent. She had every motive to appear. She has a U.S. citizen spouse. She sought legal counsel and filed this motion immediately upon learning of the order. And, most compellingly, she updated her address with immigration authorities before proceedings were even initiated, and still received nothing.

The Ninth Circuit has held that where an alien initiated a proceeding to obtain a benefit and had no motive to avoid a hearing, her sworn affidavit confirming non-receipt should ordinarily be sufficient to rebut the presumption of delivery and entitle her to an evidentiary hearing. *See Matter of M-R-A-*, 24 I&N Dec. at 673; *see also Salta v. INS*, 314 F.3d 1076, 1079 (9th Cir. 2002).

The Ninth Circuit has further recognized that sufficient evidence to overcome the presumption of delivery may be presented even without a sworn affidavit where notice is sent by regular mail. *See Sembiring v. Gonzales*, 499 F.3d 981, 988–89 (9th Cir. 2007).

Respondent's circumstances are squarely aligned with the standards articulated in each of these decisions: she filed an affirmative application for immigration benefit, had every incentive to appear, and has submitted a sworn personal affidavit confirming non-receipt. *See* Evidence.

<u>A.1. Respondent Was Never Served with the Notice to Appear.</u>

Respondent entered the United States lawfully on September 25, 2024, on a B-2 visa, and soon came to establish residence in California. *See* Exhibit 1. She was never detained by immigration authorities. She was never handed an NTA in person. Respondent attests that she did not receive the NTA by mail or by any other means, and that she had no knowledge of the existence of removal proceedings against her until she received an official notification from ICE and, upon searching her A-number through the automated case information system, discovered for the first time that an in absentia order of removal had been entered against her. *See* Evidence.

The NTA is the foundational document that notifies a respondent of the initiation of removal proceedings, her legal obligations, including the duty to update her address under INA § 239(a)(1)(F), and the consequences of failing to appear. Non-receipt of the NTA is independently sufficient to require rescission of an in absentia order. INA § 240(b)(5)(C)(ii). Without receipt of the NTA, Respondent had no way of knowing that proceedings had been initiated, that a hearing would be scheduled, or that her failure to appear could result in a removal order being entered against her in absentia. The removal order entered under these circumstances cannot stand.

<u>A.2. Respondent Updated Her Current Address with USCIS Before Issuance of the NTA, Yet Received No Notice of Any Kind.</u>

This case presents a particularly compelling basis for rescission that goes beyond the typical lack-of-notice scenario. Respondent did not merely fail to receive notice in a passive or unexplained manner. She took affirmative and verifiable steps to ensure that immigration authorities had her current address on file, and still received nothing.

Specifically, on April 10, 2026, Respondent updated her current address with USCIS through the agency's official online portal, to 1875 Sherington Place, Apt S203, Newport Beach, CA 92663 – her current address. *See* Exhibits 4 and 6; *see also* Evidence. This update occurred more than two months before removal proceedings were docketed against her on June 16, 2026. Upon recently learning of the in absentia removal order, Respondent contacted her former roommate, who resided with her at her previous address of 3400 Avenue of the Arts, Apartment C310, Costa Mesa, CA 92626, and inquired whether any correspondence had been received in her name. He confirmed that no mail arrived addressed to her. *See* Evidence.

Despite the government having Respondent's current address on file through its own agency, well before proceedings were initiated, Respondent received no NTA, no Notice of Hearing, and no Order of Removal.

The inescapable conclusion is that the government failed to provide notice at the address Respondent had affirmatively and timely provided to immigration authorities. Whether the NTA was sent to a prior address she no longer resided at, or was never delivered at all, the result is the same: the government cannot satisfy its burden of demonstrating by "clear, unequivocal, and convincing evidence" that constitutionally adequate notice was provided. INA § 240(b)(5)(A). Notice that does not reach the respondent is not notice "reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections". *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

The United States Court of Appeals for the Second Circuit has noted that when considering a motion to reopen, the central issue is no longer whether the notice was properly mailed, as it is for the purpose of initially entering the in absentia order, but rather whether the alien actually received the notice. *Lopes v. Gonzales*, 468 F.3d 81, 84 (2d Cir. 2006).

Respondent fulfilled her obligation by affirmatively updating her address with USCIS, an operational component of the Department of Homeland Security. Despite DHS possessing actual knowledge of Respondent's correct address, the Notice to Appear was not properly mailed to her current residence, failing to satisfy statutory notice requirements under INA § 240(b)(5)(C)(ii).

Respondent's compliance preceded the very proceedings she was never told about. She cannot be penalized for a failure of notice she had no reason to anticipate and no ability to remedy.

B. Respondent's Compliance with Address-Notification Obligations Further Defeats Any Government Argument That the Notice Failure Is Attributable to Her Conduct.

Respondent satisfied her address-notification obligations under 8 C.F.R. § 1003.26(d) by proactively updating her address with USCIS through the agency's official online portal on April 10, 2026. No argument that Respondent failed to update her address can be sustained.

First and most fundamentally, the duty to file Form EOIR-33 is triggered by receipt of the NTA. INA § 239(a)(1)(F) conditions the obligation to notify the Immigration Court of an address change on the respondent having been "given" the required notice. Because Respondent never received the NTA, she was never informed that removal proceedings had been initiated, never advised of the existence of an Immigration Court docket in her name, and never informed that any obligation to file Form EOIR-33 existed. Under long-settled BIA precedent, the Government may not rely on a respondent's failure to update her address where the respondent did not receive the NTA that was supposed to create that obligation. *See Matter of G-Y-R-*, 23 I&N Dec. 181, 186–90 (BIA 2001).

Second, and critically, Respondent did in fact update her address with immigration authorities, doing so before proceedings were even initiated against her. On April 10, 2026, more than two months before the docket date of June 16, 2026, Respondent updated her address with USCIS through the agency's online portal. Because USCIS is an administrative component of the Department of Homeland Security, DHS was in possession of Respondent's updated address. *See* Exhibit 4. Issuing and mailing the Notice to Appear to a former or different address, after Respondent took affirmative steps to update her records with USCIS, deprived Respondent of statutory notice and violated due process.

A respondent who proactively ensures that the relevant immigration agency has her current address cannot be faulted for failing to separately update a court docket she did not know existed. The government's failure to use or convey that address information to the Immigration Court is a failure of government coordination, not a failure of Respondent's diligence.

The Government cannot shift the blame for its own defective service onto a respondent who never received the NTA, never knew proceedings had been initiated, and who demonstrably kept immigration authorities informed of her current address. *See Mullane v. Cent. Hanover Bank & Trust Co.,* 339 U.S. 306, 314 (1950); *Matter of G-Y-R-*, 23 I&N Dec. at 186–90.

Respondent further demonstrated exceptional diligence upon learning of the removal order. On August 21, 2026, Respondent received a notice to appear before ICE for case review and, upon discovering that an in absentia order of removal had been entered against her, she immediately retained legal counsel and filed this Motion to Reopen. *See* Exhibit 5. The speed with which Respondent acted reflects precisely the kind of diligent conduct the BIA has identified as a factor weighing in favor of reopening. *See Matter of M-R-A-*, 24 I&N Dec. at 673–74 (identifying due diligence in seeking to redress the situation as a relevant factor in evaluating motions to reopen based on non-receipt of notice).

Respondent fulfilled her obligations to the best of her knowledge and ability, going beyond what was required of her. She cannot be penalized for failing to comply with an obligation she never knew existed, triggered by proceedings she was never told had been initiated, before a court whose docket she did not know bore her name.

C. The Due Process Clause Independently Requires Rescission.

Although the statutory notice defect is sufficient to require rescission, the circumstances here also reflect a violation of Respondent's constitutional due process rights under the Fifth Amendment, which guarantees that no person shall be deprived of liberty without due process of law. Removal is a severe sanction that implicates protected liberty interests. *See Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).

Due process requires notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950). Serving or purportedly serving a notice on a respondent who entered the United States lawfully, had a pending immigration matter with USCIS, and has affirmatively updated her address with immigration authorities, without ensuring delivery to that address, is not reasonably calculated to inform her of pending proceedings.

Respondent was ordered removed in absentia approximately one month after her case was docketed, without ever receiving a single communication from the Immigration Court. She was a lawful entrant who took every reasonable step to comply with immigration requirements. Ordering her removed in absentia under these circumstances offends the constitutional requirement of meaningful process. The Court need not reach this constitutional ground if it grants rescission on statutory grounds, but the due process violation independently compels the same result.

D. In the Alternative, Proceedings Should Be Reopened Based on Previously Unavailable Evidence of Eligibility For Marriage-Based Relief

Even if this Court were to find notice legally sufficient, which Respondent expressly denies, reopening is independently warranted on the basis of previously unavailable evidence establishing changed personal circumstances that create new eligibility for relief that could not have been presented at the time of the original proceedings.

A motion to reopen may be granted where it is based on evidence that is material and was not available and could not have been discovered or presented at the prior hearing. INA § 240(c)(7)(B); 8 C.F.R. § 1003.23(b)(3). Critically, 8 C.F.R. § 1003.23(b)(3) expressly provides that a motion to reopen for the purpose of applying for discretionary relief shall not be denied where "the relief is sought on the basis of circumstances that have arisen subsequent to the hearing." The filing of a Form I-130 on Respondent’s behalf constitutes precisely such subsequent circumstances.

The evidence presented herein (Respondent's marriage to a United States citizen and the filing of Form I-130 on her behalf) constitutes precisely such previously unavailable evidence. Because Respondent never received notice of these proceedings and never appeared before the Court, she had no opportunity whatsoever to present evidence of her personal circumstances, her marital relationship, or her eligibility for adjustment of status. That evidence was not merely unavailable at the prior hearing. There was, for all practical and legal purposes, no hearing at all from Respondent's perspective. The in absentia order was entered in her complete absence and without her knowledge. The marriage, and the subsequent eligibility for adjustment of status, are therefore properly characterized as previously unavailable evidence that could not have been presented because Respondent was never informed that presentation was required.

The BIA has expressly held that a motion to reopen for adjustment of status based on a marriage entered into after the commencement of proceedings may be granted in the exercise of discretion notwithstanding the pendency of a visa petition filed on the alien's behalf. *Matter of Velarde-Pacheco*, 23 I&N Dec. 253, 256 (BIA 2002). Respondent's position is even stronger: her marriage to a United States citizen predates the initiation of these proceedings entirely, placing her beyond the more difficult posture that *Velarde-Pacheco* itself contemplates and resolves in the alien's favor.

On September 9, 2025, Respondent married Anahi Valdivia, a United States citizen, in Los Angeles, California. *See* Exhibit 2. This marriage occurred prior to the docketing of these proceedings on June 16, 2026, and prior to the entry of the in absentia order on July 15, 2026. As the spouse of a U.S. citizen, Respondent qualifies as an immediate relative under INA § 201(b)(2)(A)(i): a classification subject to no annual numerical limitation and conferring immediate visa availability. *See* INA § 201(b); 8 U.S.C. § 1151(b).

On August 22, 2026, a Form I-130 (Petition for Alien Relative) was filed with USCIS on Respondent's behalf by her U.S. citizen spouse. Although USCIS has not yet issued a receipt notice, the petition and its supporting documentation are submitted herewith as additional evidence and are sufficient to demonstrate prima facie eligibility for immediate relative classification for purposes of this motion. *See* Evidence Part 01. The filing of a facially approvable I-130, combined with Respondent's lawful entry and spousal relationship with a U.S. citizen, is sufficient to establish prima facie eligibility for adjustment of status. *Matter of Velarde*, 23 I&N Dec. 253 (BIA 2002); 8 C.F.R. § 1003.23(b)(3). A motion to reopen to apply for adjustment of status based on marriage may not be denied based solely on the Government's opposition, without regard to the merit of that opposition. *Matter of Lamus*, 25 I&N Dec. 61, 64-65 (BIA 2009).

Because Respondent entered the United States lawfully on a B-2 nonimmigrant visa and has not departed since that admission, she is eligible to apply for adjustment of status to lawful permanent resident within the United States pursuant to INA § 245(a). Adjustment of status before the Immigration Court is a well-established form of relief available to respondents in removal proceedings. *See* INA § 245(a); 8 C.F.R. § 1245.2(a). Absent rescission of the in absentia order, Respondent would be barred from discretionary relief for ten years under INA § 240(b)(7), directly foreclosing her ability to pursue this pathway to lawful permanent residence. Reopening is necessary to preserve this avenue of relief.

The bona fide nature of Respondent's marriage is further supported by the fact that she was unaware of these removal proceedings when the marriage took place and throughout its duration and that marriage predated its initiation entirely. The marriage predates the docketing of the case, so was not motivated by any knowledge of a pending removal order. *See Matter of Velarde-Pacheco*, 23 I&N Dec. 253 (BIA 2002) (factors for evaluating motions to reopen based on marriage include the good faith and bona fide nature of the marital relationship). The marital relationship was formed at a time when Respondent had no knowledge of, and no reason to anticipate, any enforcement action against her, and, notably, no actual proceedings existed at that time.

The absence of any proceedings at the time of the marriage is the most compelling indicator of good faith: Respondent could not have married in reaction to a removal order that did not yet exist and of which she had no knowledge.

E. In the Alternative, the Court Should Exercise Its Sua Sponte Authority to Reopen These Proceedings.

An Immigration Judge may reopen proceedings sua sponte at any time in the interest of justice. 8 C.F.R. § 1003.23(b)(1). Sua sponte reopening is appropriate where a respondent demonstrates exceptional circumstances, including equities so compelling that they override the general policy of finality. *See Matter of G-D-,* 22 I&N Dec. 1132, 1133–34 (BIA 1999).

The totality of circumstances here presents precisely such a case. Respondent: (1) entered the United States lawfully on a B-2 visa; (2) actively and in good faith engaged with the immigration system by filing Form I-539 and proactively updating her address with USCIS before proceedings were even initiated; (3) never received the NTA, any Notice of Hearing, or the Order of Removal; (4) was ordered removed in absentia approximately one month after docketing, without any meaningful opportunity to be heard; (5) married a United States citizen on September 9, 2025, prior to the initiation of these proceedings; (6) has an I-130 petition filed on her behalf, demonstrating prima facie eligibility for adjustment of status; and (7) entered the United States lawfully and is therefore eligible for adjustment of status in the United States under INA § 245(a).

The equities are overwhelmingly in Respondent's favor. The in absentia order was entered without any actual notice to Respondent and, as a result, without any opportunity for her to present her case. Allowing the in absentia order to stand under these circumstances would deprive Respondent of the opportunity to pursue a legitimate and viable path to lawful permanent residence, based solely on a proceeding she had no knowledge of and no ability to participate in. Sua sponte reopening is warranted as an independent and alternative basis for relief.

VIII. RESPONDENT'S GOOD FAITH AND EQUITIES FAVOR REOPENING

Respondent has consistently demonstrated good faith in her dealings with immigration authorities throughout her time in the United States. She entered the country lawfully on a B-2 visa on September 25, 2024. *See* Exhibit 1. She filed Form I-539 in a good-faith effort to regularize her status. Upon entering into a marital relationship with a United States citizen, Respondent withdrew her pending I-539 petition. *See* Exhibit 3. A decision that itself reflects good faith, as she recognized that extension of nonimmigrant status was no longer the appropriate pathway and elected instead to pursue adjustment of status to lawful permanent residence through the proper immigrant channel. *See* Evidence. On April 10, 2026, she proactively updated her address with USCIS through the official online portal, ensuring that immigration authorities had her current, accurate contact information on file more than two months before removal proceedings were even initiated against her. *See* Exhibit 4. At no point did Respondent take any action to evade immigration proceedings; she was unaware any existed. She has every motive to appear.

Respondent is married to Anahi Valdivia, a United States citizen, in a bona fide marital relationship that predates the initiation of these proceedings. A Form I-130 has been filed on her behalf, reflecting a genuine and viable pathway to lawful permanent residence. *See* Evidence Part 01. She has established meaningful ties in the United States, including her marital relationship, her community, and her ongoing life in California.

Upon learning of the in absentia order, Respondent acted with reasonable diligence in securing legal counsel and pursuing this motion without delay. She cooperated fully with undersigned counsel and provided all necessary information and documentation.

These equities, aligned with the fact that Respondent never received any notice or information regarding her removal proceedings, strongly support reopening.

IX. CONCLUSION

The record in this case affirmatively establishes that Respondent never received constitutionally adequate notice of the removal proceedings or the hearing at which she was ordered removed.

Respondent never received constitutionally adequate notice of the removal proceedings or the hearing at which she was ordered removed. Respondent updated her address to 1875 Sherington Place, Apt S203, Newport Beach, CA 92663, through her USCIS online account on April 10, 2026. *See* Exhibit 4. Upon recently learning of the in absentia removal order, Respondent contacted her former roommate, who resided with her at her previous address (3400 Avenue of the Arts, Apartment C310, Costa Mesa, CA 92626), and inquired whether any correspondence had been received in her name. He confirmed that no mail arrived addressed to her. *See* Evidence. Thus, not only did Respondent fail to receive the Notice to Appear or any notice related to her removal proceedings at her current address, but there is also no indication that any such correspondence was ever delivered at her prior address either, leaving no account of where, if anywhere, these documents were sent or received.

Rescission is mandatory under INA § 240(b)(5)(C)(ii) and *Matter of M-R-A-*, 24 I&N Dec. 665 (BIA 2008). The Government cannot satisfy its burden of proving by clear, unequivocal, and convincing evidence that constitutionally adequate notice was provided to a respondent who updated her address with immigration authorities before proceedings were initiated and still received nothing. The failure to update her address with the Immigration Court specifically cannot be attributed to Respondent, as she never received the NTA that would have triggered that obligation.

Independently, reopening is warranted because Respondent married a United States citizen prior to the initiation of these proceedings, has an I-130 filed on her behalf, and, because she entered the United States lawfully, she is prima facie eligible for adjustment of status under INA § 245(a). These circumstances create a legitimate and viable pathway to lawful permanent residence that would be permanently foreclosed by the in absentia order.

X. RELIEF REQUESTED

WHEREFORE, Respondent respectfully requests that this Honorable Court:

1. Rescind the *in absentia* removal order entered on July 15, 2026;

2. Reopen these proceedings pursuant to INA § 240(b)(5)(C)(ii) and 8 C.F.R. § 1003.23(b)(4)(ii), or in the alternative pursuant to INA § 240(c)(7) and 8 C.F.R. § 1003.23(b)(1);

3. Re-calendar Respondent's case before the Immigration Court;

4. Notify ICE of the automatic stay of removal pursuant to INA § 240(b)(5)(C); and

5. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

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

Exhibit list

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Exhibit 1 - Respondent's Identification documents

GH108541

Assinatura do titular / Signature du titulaire
Bearer's signature / Firma del titular

Este passaporte deve ser assinado pelo titular, salvo em caso de incapacidade.

Ce passeport doit être signé par le titulaire, sauf en cas d'incapacité.

This passport must be signed, except where the bearer is unable to do so.

Este pasaporte debe ser firmado por el titular, salvo en caso de incapacidad.

REPÚBLICA FEDERATIVA DO BRASIL

PASSAPORTE
PASSPORT

TIPO / TYPE
P

PAÍS EMISSOR / ISSUING COUNTRY
BRA

PASSAPORTE Nº / PASSPORT No
GH108541

SOBRENOME / SURNAME
DA SILVA MARTINS

NOME / GIVEN NAMES
AMANDA

NACIONALIDADE / NATIONALITY
BRASILEIRO(A)

DATA DO NASCIMENTO / DATE OF BIRTH
18 AGO/AUG 2000

IDENTIDADE Nº / PERSONAL No

SEXO / SEX
F

NATURALIDADE / PLACE OF BIRTH
SÃO BERNARDO DO CAMPO/SP

FILIAÇÃO / FILIATION
SILVIO MARTINS VAZ
ANDREIA DA SILVA MARTINS

DATA DE EXPEDIÇÃO / DATE OF ISSUE
14 JUN/JUN 2023

AUTORIDADE / AUTHORITY
NUPAS/SR/SP

VÁLIDO ATÉ / DATE OF EXPIRY
13 JUN/JUN 2033

P<BRADA<SILVA<MARTINS<<AMANDA<<<<<<<<<<<<<<<
GH108541<4BRA0008187F3306138<<<<<<<<<<<<<<08

Para uso das autoridades brasileiras
Reservé aux autorités brésiliennes
For the use of Brazilian authorities
Para uso de las autoridades brasileñas

INFORMAÇÕES PARA O TITULAR

Este passaporte é propriedade da República Federativa do Brasil e qualquer tentativa de adulteração o tornará inválido.

O extravio – perda, roubo ou destruição – do passaporte constitui fato grave e deve ser comunicado imediatamente à autoridade policial e à Embaixada ou ao Consulado do Brasil, conforme o caso. Para isso, recomenda-se que o titular copie as informações da página 2. Se o passaporte for entregue a pessoa ou serviço que não pertença ao Governo Brasileiro (por exemplo, para obtenção de visto, compra de passagem, etc.) e não for restituído, o titular deve considerá-lo como extraviado. A concessão de novo passaporte em substituição ao extraviado depende de investigação.

Apenas o titular do passaporte poderá usá-lo. A utilização fraudulenta ou a cessão a outra pessoa constituem crimes, pela lei brasileira. Para ressalvar sua responsabilidade, o titular deve assinar seu passaporte, no local previsto na página 3, imediatamente após recebê-lo. Este passaporte só é válido com a assinatura do titular, salvo em caso de incapacidade.

É recomendável que o brasileiro residente no exterior, ou de passagem por região conturbada, matricule-se na Embaixada ou no Consulado do Brasil mais próximo. Impossibilitado de comparecer pessoalmente, poderá comunicar-se por outro meio, fornecendo nome completo, endereço e número do passaporte.

O brasileiro que viaje por áreas conturbadas deve ter presente que a assistência do Governo Brasileiro poderá ser limitada e dependerá das autoridades locais. A contratação de seguro de viagem poderá trazer tranquilidade ao viajante e a seus familiares.

É responsabilidade do titular verificar, antes da viagem, a validade do passaporte e a necessidade de visto. O titular poderá solicitar a substituição do passaporte mesmo antes do vencimento, em vista de que muitos países exigem prazo mínimo de validade.

O menor de idade, não emancipado, viajando desacompanhado de qualquer um dos pais, ou responsável legal, só poderá sair do Brasil munido da autorização pertinente prevista em lei.

O cidadão brasileiro que tenha outra nacionalidade deve ter em conta que a assistência consular brasileira no país de que também é nacional poderá ser consideravelmente limitada.

Consulte / Consultez / Consult / Consulte
www.portalconsular.mre.gov.br ou www.pf.gov.br

GH108541

VISTOS 6 VISAS

VISTOS 7 VISAS

ADMITTED
JFK

SEP 25 2024

Class B2
Until 24 Mar 2025

VISTOS VISAS

VISA
UNITED STATES OF AMERICA

Issuing Post Name
SAO PAULO

Control Number
20233325390002

Surname
DA SILVA MARTINS

Given Name
AMANDA

Visa Type /Class
R B1/B2

Passport Number
GH108541

Sex
F

Birth Date
18AUG2000

Nationality
BRZL

Entries
M

Issue Date
30NOV2023

Expiration Date
27NOV2033

0101

Annotation

U4346294

**

VNUSADA<SILVA<MARTINS<<AMANDA<<<<<<<<<<<<<<<<
GH108541<4BRA0008187F3311271B3SPL30Z3P942412

GH108541

GH108541

GH100541

GH108541

GH 108541

VISTOS 18 VISAS

VISTOS 19 VISAS

GH108541

VISTOS 20 VISAS

VISTOS 21 VISAS

GH108541

VISTOS 24 VISAS

GH108541

VISTOS 25 VISAS

GH106541

GH108541

GH106541

Os campos abaixo devem ser preenchidos pelo titular.
Aconselha-se usar lápis preto para possibilitar a atualização dos dados.

ENDEREÇO DO TITULAR / ADRESSE DU TITULAIRE
BEARER'S ADDRESS / DIRECCIÓN DEL TITULAR

Endereço / Address: ____________________
Cidade / City: ____________________
Estado / State: ____________________
País / Country: ____________________
Telefone / Phone: ____________________

Em caso de acidente, avisar a Embaixada ou o Consulado do Brasil mais próximo e a pessoa abaixo indicada:

En cas d'accident, contacter l'Ambassade ou le Consulat du Brésil le plus proche ainsi que la personne indiquée ci-dessous:

In case of accident, notify the nearest Brazilian Embassy or Consulate and the individual named below:

En caso de accidente, contactar con la Embajada o el Consulado de Brasil más próximo y la persona indicada abajo:

Nome / Name: ____________________
Endereço / Address: ____________________
Cidade / City: ____________________
Estado / State: ____________________
País / Country: ____________________
Telefone / Phone: ____________________

Este passaporte contém um dispositivo eletrônico e elementos de segurança sensíveis.
Não dobre, perfure ou exponha este documento a temperaturas elevadas, umidade e luz excessivas, campos eletromagnéticos intensos ou substâncias químicas.
Além do respeito e dos cuidados normais dispensados a um passaporte, tenha com este documento as mesmas precauções que teria com qualquer outro dispositivo eletrônico portátil, assegurando que ele não ficará úmido, dobrado ou amassado. Abusos podem afetar adversamente a operação do chip e reduzir sua utilidade para o titular e para o controle de fronteira.

NÃO GRAMPEAR OU CARIMBAR ESTA PÁGINA

NE PAS AGRAFER OU TAMPONNER CETTE PAGE

DO NOT STAPLE OR STAMP THIS PAGE

NO GRAPAR NI SELLAR ESTA PAGINA

Símbolo Internacional do Passaporte Eletrônico

CASA DA MODA DO BRASIL

For: **AMANDA DA SILVA MARTINS**

U.S. Customs and Border Protection
Securing America's Borders

Most Recent I-94

Note to employers, local, state or federal agency granting benefits:
Please visit the CBP I-94/I-95 Website and click on the tab for "Get Most Recent I-94/I-95" to perform a search for the applicant to confirm that the biographic and travel information displayed on this I-94/I-95 printout matches the "Get Most Recent I-94/I-95" returned results for this applicant. Reference the CBP I-94/I-95 Website FAQs.

Admission I-94 Record Number: 186140278A4

Arrival/Issued Date: 2024 September 25

Class of Admission: B2

Admit Until Date: 2025 March 24

Details provided on the I-94 Information form:

Last/Surname: DA SILVA MARTINS

First (Given) Name: AMANDA

Birth Date: 2000 August 18

Document Number: GH108541

Country of Citizenship: Brazil

- Effective April 26, 2013, DHS began automating the admission process. An alien lawfully admitted or paroled into the U.S. is no longer required to be in possession of a preprinted Form I-94/I-95. A record of admission printed from the CBP website constitutes a lawful record of admission. See 8 CFR § 1.4(d).
- What to do if someone requests your admission info: If an employer, local, state or federal agency requests admission information, present your admission (I-94/I-95) number along with any additional required documents requested by that employer or agency.
- For security, close your browser after retrieving your I-94/I-95 number.
- Nonimmigrant travelers departing the United States by land or private vessel can now use the CBP Link Mobile Application to report their departure. Please note that departure should only be reported after you have physically left the United States. If you departed by air or sea, your departure was likely recorded automatically.

OMB No. 1651-0111
Expiration Date: 06/30/2026

Exhibit 2 - Proof of Elegibility for Adjustment of Status

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF LOS ANGELES

REGISTRAR–RECORDER/COUNTY CLERK

4 2025 19 021477

LICENSE AND CERTIFICATE OF MARRIAGE

MUST BE LEGIBLE – MAKE NO ERASURES, WHITEOUTS, OR OTHER ALTERATIONS
USE DARK INK ONLY

STATE FILE NUMBER | LOCAL REGISTRATION NUMBER

FIRST PERSON DATA (☐ Groom ☒ Bride)

1A. FIRST NAME	AMANDA
1B. MIDDLE	DA SILVA
1C. CURRENT LAST	MARTINS
1D. LAST NAME AT BIRTH (IF DIFFERENT THAN 1C)	-
2. DATE OF BIRTH (MM/DD/CCYY)	08/18/2000
3. STATE/COUNTRY OF BIRTH	BRA
4. # PREV. MARRIAGES/SRDP	0
5A. LAST MARRIAGE/SRDP ENDED BY: ☐ DEATH ☐ DISSO ☐ ANNULMENT ☐ TERM SRDP ☒ NA	
5B. DATE ENDED (MM/DD/CCYY)	--/--/----
6. ADDRESS	3400 AVENUE OF THE ARTS C310
7. CITY	COSTA MESA
8. STATE/COUNTRY	CA
9. ZIP CODE	92626
10A. FULL BIRTH NAME OF FATHER/PARENT	SILVIO MARTINS VAZ
10B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)	BRA
11A. FULL BIRTH NAME OF MOTHER/PARENT	ANDREIA DA SILVA MARTINS
11B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)	BRA

SECOND PERSON DATA (☐ Groom ☐ Bride)

12A. FIRST NAME	ANAHI
12B. MIDDLE	-
12C. CURRENT LAST	VALDIVIA
12D. LAST NAME AT BIRTH (IF DIFFERENT THAN 12C)	-
13. DATE OF BIRTH (MM/DD/CCYY)	07/04/1998
14. STATE/COUNTRY OF BIRTH	CA
15. # PREV. MARRIAGES/SRDP	0
16A. LAST MARRIAGE/SRDP ENDED BY: ☐ DEATH ☐ DISSO ☐ ANNULMENT ☐ TERM SRDP ☒ NA	
16B. DATE ENDED (MM/DD/CCYY)	--/--/----
17. ADDRESS	3400 AVENUE OF THE ARTS C310
18. CITY	COSTA MESA
19. STATE/COUNTRY	CA
20. ZIP CODE	92626
21A. FULL BIRTH NAME OF FATHER/PARENT	FRANCISCO JAVIER VALDIVIA
21B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)	MEX
22A. FULL BIRTH NAME OF MOTHER/PARENT	JUANA PEREZ BECCERA
22B. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY)	MEX

AFFIDAVIT

WE, THE UNDERSIGNED DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT WE ARE UNMARRIED AND THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE FURTHER DECLARE THAT NO LEGAL OBJECTION TO THE MARRIAGE NOR TO THE ISSUANCE OF A LICENSE IS KNOWN TO US. WE ACKNOWLEDGE RECEIPT OF THE INFORMATION REQUIRED BY FAMILY CODE SECTION 358 AND HEREBY APPLY FOR A LICENSE AND CERTIFICATE OF MARRIAGE.

23. SIGNATURE OF PERSON LISTED IN FIELDS 1A-1D	Asm
24. SIGNATURE OF PERSON LISTED IN FIELDS 12A-12D	Anahi Valdivia

LICENSE TO MARRY

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ABOVE-NAMED PARTIES TO BE MARRIED HAVE PERSONALLY APPEARED BEFORE ME OR THE PERSON PERFORMING THE CEREMONY HAS PERSONALLY APPEARED BEFORE ME AND PRESENTED AN AFFIDAVIT SIGNED BY THE PARTIES TO BE MARRIED DECLARING THAT ONE OR BOTH OF THE PARTIES ARE PHYSICALLY UNABLE TO APPEAR AND EXPLAINING THE REASONS THEREFOR IN ACCORDANCE WITH FAMILY CODE SECTION 426. THE PARTIES PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS CLAIMED, HAVE DECLARED THAT THEY MEET ALL OF THE REQUIREMENTS OF THE LAW, AND HAVE PAID THE FEES PRESCRIBED BY LAW. AUTHORIZATION AND LICENSE IS HEREBY GIVEN TO ANY PERSON DULY AUTHORIZED TO PERFORM A MARRIAGE CEREMONY WITHIN THE STATE OF CALIFORNIA TO SOLEMNIZE THE MARRIAGE OF THE ABOVE-NAMED PERSONS. REQUIRED CONSENTS AND AFFIDAVITS FOR THE ISSUANCE OF THIS LICENSE ARE ON FILE.

25A. ISSUE DATE (MM/DD/CCYY)	07/29/2025
25B. EXPIRES AFTER (MM/DD/CCYY)	10/27/2025
25C. NAME OF COUNTY CLERK	DEAN C. LOGAN
25D. SIGNATURE OF CLERK OR DEPUTY CLERK	BY ▶ [signature]
25E. MARRIAGE LICENSE NUMBER	P2975273
25F. COUNTY OF ISSUE	LOS ANGELES
25G. RETURN COMPLETED MARRIAGE LICENSE TO (INCLUDE ADDRESS)	12400 Imperial Highway, Norwalk, CA 90650

WITNESS(ES) (ONE REQUIRED, NO MORE THAN TWO ALLOWED)

26A. SIGNATURE OF WITNESS	[signature]
26B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY)	Yesenia Ruby Godinez
26C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE	1214 W. Santa Ana Blvd Santa Ana CA 92703
27A. SIGNATURE OF WITNESS	
27B. NAME OF PERSON WITNESSING MARRIAGE (TYPE OR PRINT CLEARLY)	
27C. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE	

CERTIFICATION OF PERSON SOLEMNIZING MARRIAGE

I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE ABOVE-NAMED PARTIES WERE JOINED BY ME IN MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA. NOTE: THE MARRIAGE CEREMONY MUST TAKE PLACE IN THE STATE OF CALIFORNIA.

28A. DATE OF MARRIAGE (MM/DD/CCYY)	09/09/2025
28B. CITY/TOWN OF MARRIAGE	Santa Ana
28C. COUNTY OF MARRIAGE	Orange
29A. SIGNATURE OF PERSON SOLEMNIZING MARRIAGE	▶ Emily J
29B. RELIGIOUS DENOMINATION (IF CLERGY)	-- --
29C. NAME OF PERSON SOLEMNIZING MARRIAGE (TYPE OR PRINT CLEARLY)	Emily Jones
29D. OFFICIAL TITLE	Deputy Commissioner of Civil Marriages
29E. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE	PO Box 238, Santa Ana, CA 92701

NEW NAMES (IF ANY)

NEW MIDDLE AND LAST NAME OF PERSON LISTED IN 1A-1D (IF ANY) FOR USE UPON SOLEMNIZATION OF THE MARRIAGE (SEE REVERSE FOR INFORMATION)

30A. FIRST – MUST BE SAME AS 1A	AMANDA
30B. MIDDLE	DA SILVA
30C. LAST	VALDIVIA

NEW MIDDLE AND LAST NAME OF PERSON LISTED IN 12A-12D (IF ANY) FOR USE UPON SOLEMNIZATION OF THE MARRIAGE (SEE REVERSE FOR INFORMATION)

31A. FIRST – MUST BE SAME AS 12A	-
31B. MIDDLE	-
31C. LAST	-

LOCAL REGISTRAR

32A. NAME OF LOCAL REGISTRAR	DEAN C. LOGAN
32B. SIGNATURE OF CLERK OR DEPUTY CLERK	BY ▶ [signature]
32C. DATE ACCEPTED FOR REGISTRATION	NOV 13 2025

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH, OFFICE OF VITAL RECORDS

VS-117 (01/01/2010)

NOV 21 2025

This is to certify that this document is a true copy of the official record filed with the Registrar-Recorder/County Clerk.

Dean C Logan

DEAN C. LOGAN
Registrar-Recorder/County Clerk

200000218664 9

This copy not valid unless prepared on engraved border displaying the Seal and Signature of the Registrar-Recorder/County Clerk.

0011296068 - 03 - E

THE GREAT SEAL OF THE STATE OF CALIFORNIA — EUREKA

REGISTRAR-RECORDER/COUNTY CLERK — COUNTY OF LOS ANGELES - CALIFORNIA

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

Exhibit 3 - Evidence of Previous Application to Extend Nonimmigrant Status

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

Receipt Number		Case Type
MCT2555228721		I539 - APPLICATION TO EXTEND/CHANGE NONIMMIGRANT STATUS
Received Date 09/20/2025	**Priority Date**	**Applicant** MARTINS , AMANDA DA SILVA
Notice Date 09/20/2025	**Page** 1 of 3	**Beneficiary** MARTINS , AMANDA DA SILVA

AMANDA DA SILVA MARTINS
3400 AVENUE OF THE ARTS APARTAMENT
COSTA MESA CA 926261927

Notice Type: Receipt Notice
Filing Fee Collected by Pay.gov

We have received the application or petition ("your case") listed above. This notice only shows that USCIS accepted your online filed case on the "Received Date" listed above. It does NOT grant you any immigration status or immigration benefit, and it is not evidence that your case is still pending. We will update your online account when we make a decision on your case or if we need additional information.

If any of the information in your notice is incorrect or you have any questions about your case, you can connect with the USCIS Contact Center at www.uscis.gov/contactcenter or ask about your case online at www.uscis.gov/e-request. You will need your Alien Registration Number (A-Number) and/or the receipt number shown above.

You can receive updates on your case by visiting www.uscis.gov/casestatus to get the latest status or you can access your online account at my.uscis.gov/account.

Processing time - Processing times vary by form type.

- Visit www.uscis.gov/processingtimes to see the current processing times by form type and field office or service center.
- If you do not receive an initial decision or update within our current processing time, you can try our online tools available at www.uscis.gov/tools or ask about your case online at www.uscis.gov/e-request.
- When we make a decision on your case or if we need something from you, we will notify you via MyUSCIS and update our systems.

Biometrics - We require biometrics (fingerprints, a photo, and a signature) for some types of cases. If we need biometrics from you, we will send you a SEPARATE appointment notice with a specific date, time and place for you to go to a USCIS Application Support Center (ASC) for biometrics processing. You must wait for that separate appointment notice and take it (NOT this receipt notice) to your ASC appointment along with your photo identification. Acceptable kinds of photo identification are:

- A passport or national photo ID issued by your country,
- A driver's license,
- A military photo ID, or
- A state-issued photo ID card.

If you receive more than one ASC appointment notice (even for different cases), take them both to the first appointment date.

If your address changes - If you move while your case is pending, please update your address in your online account at my.uscis.gov/account
Return of Original Documents - Use Form G-884, Request for the Return of Original Documents, to request the return of original documents submitted to establish eligibility for an immigration or citizenship benefit. You only need to submit one Form G-884 if you are requesting multiple documents contained in a single USCIS file. However, if the requested documentation is in more than one USCIS file, you must submit a separate request for each file. (For example: If you wish to obtain your mother's birth certificate and your mother's/father's marriage certificate, both of which are in the USCIS file that pertains to her, submit one Form G-884 with your mother's information.)

NOTICE: The information you provide on and in support of applications and petitions is submitted under the penalty of perjury. USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after making a decision on your case so we can ensure that you have complied with applicable laws, rules, regulations, and other legal authorities. We may review public information and records, contact others by mail, the internet or phone, conduct site inspections of businesses and residences, or use other methods of verification. We will use the information obtained to determine whether you are eligible for the benefit you seek. If we find any derogatory information, we will follow the law in determining whether to provide you (and the legal representative listed on your Form G-28, if you submitted one) an opportunity to address that information before we make a formal decision on your case or start proceedings.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

USCIS encourages you to sign up for a USCIS online account. To learn more about creating an account and the benefits, go to https://www.uscis.gov/file-online.

SCOPS TEXAS FACILITY
U.S. CITIZENSHIP & IMMIGRATION SVC
6046 N BELT LINE RD.
IRVING TX 75038-0001

USCIS Contact Center: www.uscis.gov/contactcenter

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

Receipt Number		Case Type
MCT2555228721		I539 - APPLICATION TO EXTEND/CHANGE NONIMMIGRANT STATUS
Received Date 09/20/2025	**Priority Date**	**Applicant** MARTINS , AMANDA DA SILVA
Notice Date 09/20/2025	**Page** 2 of 3	**Beneficiary** MARTINS , AMANDA DA SILVA

Beneficiary(ies):

Name	DOB	COB	Class
MARTINS , AMANDA DA SILVA	08/18/2000	BRAZIL	

Please see the additional information on the back. You will be notified separately about any other cases you filed.

USCIS encourages you to sign up for a USCIS online account. To learn more about creating an account and the benefits, go to https://www.uscis.gov/file-online.

SCOPS TEXAS FACILITY
U.S. CITIZENSHIP & IMMIGRATION SVC
6046 N BELT LINE RD.
IRVING TX 75038-0001

USCIS Contact Center: www.uscis.gov/contactcenter

If you are visiting a field office and need directions, including public transportation directions, please see **www.uscis.gov/fieldoffices** for more information.

Notice for People with Disabilities

To request a disability accommodation:

- Go to uscis.gov/accommodations to make your request online, or
- Call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833) for help in English or Spanish. Asylum and NACARA 203 applicants must call to make their request.

If you need a sign language interpreter, make your request as soon as you receive your appointment notice. The more advance notice we have of your accommodation request, the better prepared we can be and less likely we will need to reschedule your appointment. For more information about accommodations, visit uscis.gov/accommodationsinfo.

Amanda da Silva Martins
3400 Avenue of the Arts, Apartment C310
Costa Mesa, CA 92626
United States

March 4, 2026

U.S. Citizenship and Immigration Services
Nebraska Service Center

RE: Withdrawal of Form I-539
Receipt Number: MCT2555228721

To Whom It May Concern,

I respectfully request to withdraw my pending Form I-539, Application to Extend/Change Nonimmigrant Status, which was filed on September 20, 2025.

I am making this request voluntarily and understand the consequences of withdrawing my application.

Thank you for your attention to this matter.

Sincerely,

ASM

Amanda da Silva Martins

Date of Birth: August 18, 2000

March 5, 2026

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Nebraska Service Center

U.S. Citizenship and Immigration Services

AMANDA DA SILVA MARTINS
3400 AVENUE OF THE ARTS APARTAMENT
COSTA MESA, CA 92626-1927

MCT2555228721

RE: I-539, Application to Extend/Change Nonimmigrant Status

DECISION

We hereby acknowledge receipt of your request to withdraw the Form I-539, Application to Extend/Change Nonimmigrant Status, you filed on September 20, 2025. Action has been terminated on this application.

Title 8, Code of Federal Regulations, Part 103.2(b)(6) states, in pertinent part:

> Withdrawal. An applicant or petitioner may withdraw a benefit request at any time until a decision is issued by USCIS or, in the case of an approved petition, until the person is admitted or granted adjustment or change of status, based on the petition. However, a withdrawal may not be retracted.

Filing fees are nonrefundable.

WARNING CONCERNING UNLAWFUL PRESENCE

Please be aware that, under section 212(a)(9)(B) of the Immigration and Nationality Act (INA), an alien who accrues more than 180 days of unlawful presence in the United States, and then departs, and again seeks admission within three or ten years after the departure is inadmissible.

You may remain in your nonimmigrant status until the expiration date indicated on your Form I-94, Arrival/departure Record. However, if the date listed on the Form I-94 has already passed, this Notice of Decision may leave you without lawful immigration status and you may be present in the United States in violation of the law.

Sincerely,

Carrie M. Selby
Acting Associate Director, Service Center Operations
Officer: EX0451

Exhibit 4 - Proof of Notification of Change of Address

< Back to Change Your Address

View My Change Of Address Submissions

View your Change of Address submissions to keep track of your requests. Your request may take up to two days after your submission to appear in your online account.

Completing the electronic Change of Address request online will satisfy your Form AR-11, Alien's Change of Address Card, requirement for each address change request.

View the status descriptions to learn more about your status.

Search...   Search

Date submitted	Receipt number	Confirmation number	Status
April 10, 2026		MCA2656368623	Submitted

Exhibit 5 - ICE Notice to Appear for Case Review

U. S. Department of Homeland Security
Immigration and Customs Enforcement

MARTINS, AMANDA **1875 SHERINGTON PL., APT S203** **NEWPORT BEACH, CA 92663**

A File Number: **256 049 798**
Date: 08/17/2026

Please come to the office shown below at the time and place indicated in connection with an official matter.
Por favor venga a la oficina se muestra a continuación en el momento y lugar indicado en relación con un asunto oficial.

OFFICE LOCATION *Localización de la oficina*	34 Civic Center Plaza Room 1027. Santa Ana, CA 92701. United States (714) 834-4881
DATE AND HOUR *Fecha y Hora*	**September 02, 2026, 8:00 A.M.**
ASK FOR *Pregunta Por*	**Program Manager or Case Specialist** *Administrador de Programas o Especialista de la Caja*
REASON FOR APPOINTMENT *Motivo de la Cita*	**To discuss the status of your immigration case and make any necessary custody or program adjustments as needed.** *Para hablar sobre el estado de su caso de inmigración y realizar los ajustes necesarios en materia de custodia o programas, según sea necesario.*
BRING WITH YOU *Lleve con usted*	**Bring With you: Identification and any other documents that you want considered during your case review.** *Traiga consigo: su documento de identidad y cualquier otro documento que desee que se tenga en cuenta durante la revisión de su caso..*

IT IS IMPORTANT THAT YOU KEEP THIS APPOINTMENT AND BRING THIS LETTER WITH YOU.
Es importante que mantenga esta cita y traer esta carta con usted.

NOTE: Failure to comply with the conditions of this order may result in the revocation of your release.
NOTA: El incumplimiento de las condiciones de esta orden puede resultar en la revocación de su comunicado.

Sincerely,

ERO Deportation Officer

I am unable to keep the appointment because:	
SIGNATURE	DATE

G-56 Retyped

Exhibit 6 - Proof of Current Residence

Go paperless at **www.sce.com/ebilling.** It's fast, easy and secure.

SOUTHERN CALIFORNIA EDISON®
An EDISON INTERNATIONAL® Company

For billing and service inquiries
1-800-684-8123
www.sce.com

Your electricity bill

Customer account
701007008978
Anahi Valdivia

Service account
8021072780
1875 SHERINGTON PL APT
S203
NEWPORT BEACH, CA 92663

Rotating outage
Group A020

POD-ID
101760940002623170

Date bill prepared
07/14/26

Amount due $71.83
Due by 08/03/26

Your account summary

Previous Balance	$59.68
Payment Received 06/22/26	-$59.68
Your new charges	$71.83
Total amount you owe by 08/03/26	**$71.83**

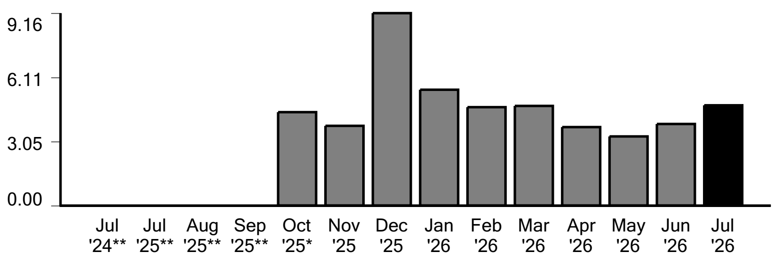
Your past and current electricity usage

For meter 234010-029035 from 06/12/26 to 07/13/26
Total electricity you used this month in kWh **153**

Your next billing cycle will end on or about 08/11/26.

Your daily average electricity usage (kWh)

2 Years ago: N/A Last year: N/A This year: 4.78



* Irregular billing period
** No data available

(14-574) Tear here If your contact information has changed please complete the form on the reverse side and return the stub below. Tear here

SOUTHERN CALIFORNIA EDISON®
An EDISON INTERNATIONAL® Company

Customer account 701007008978

Amount due by 08/03/26 **$71.83**

We will automatically debit the total amount due $71.83 from your checking account on or after 07/24/26.
Thank you!

STMT 07142026 P1

VALDIVIA, ANAHI
1875 SHERINGTON PL APT S203
NEWPORT BEACH CA 92663-6012

701007008978 0000641 000000000000007183000007183

Ways to contact us

Request a large print bill 1-800-655-4555

Customer service numbers	*Relay calls accepted*
General Services (U.S. & Canada)	1-800-655-4555
Payments, Extensions or Payment Options	1-800-950-2356
Emergency Services & Outages	1-800-611-1911
California Alternate Rates for Energy (CARE)	1-800-447-6620
Energy Theft Hotline	1-800-227-3901
Hearing & Speech Impaired (TTY)	1-800-352-8580

Multicultural services	
Cambodian / ខ្មែរ	1-800-843-1309
Chinese / 中文	1-800-843-8343
Korean / 한국어	1-800-628-3061
Vietnamese / Tiếng Việt	1-800-327-3031
Spanish / Español	1-800-441-2233

Correspondence:
Southern California Edison
P.O. Box 6400
Rancho Cucamonga, CA
91729-6400

www.sce.com

Important information

What are my options for paying my bill?

On-line	Pay one-time or recurring on **www.sce.com/bill**	
Mail-in	Check or Money order	
In Person	Authorized payment locations	1-800-747-8908
Phone	QuickCheck	1-800-950-2356
	Debit & credit card	1-833-425-1440
Other	PayPal, Venmo, Apple Pay and Google Pay	

Electronic check processing

Your check payment will be processed as a one-time Electronic Fund Transfer (EFT). With EFTs, funds may be withdrawn from your account the day we receive your payment. Your check will not be returned, but will appear on your financial statement.

Rates and applicable rules:
Available at www.sce.com or upon request.

Past due bills

When is my bill past due? It is past due 20 days after the preparation date, which was 07/14/26.

- Unable to pay: If payment arrangements were not extended to you by SCE pursuant to SCE's filed tariffs, you may contact the California Public Utilities Commission.
- For safety reasons, if service is disconnected, please ensure any sensitive or potentially hazardous equipment is unplugged on the day of reconnection. For additional home safety tips, visit www.sce.com/safety or call SCE at 1-800-655-4555.

What is the Late Payment Charge (LPC)?

0.8% will be applied to the total unpaid balance if payment is not received by the due date on this bill (except for CARE and state agency accounts).

What is a rotating outage?

Rotating outages are controlled electrical outages used to avoid widespread or uncontrolled blackouts. Your Rotating Outage Group number is located on page 1, upper left, of your SCE bill. Your rotating outage group number may change at any time. For more information, visit www.sce.com/rotating outage.

What is the Power Charge Indifference Adjustment (PCIA)?

The PCIA is a charge to ensure that both SCE customers and those who have left SCE service to purchase electricity from other providers pay for the above market costs for electric generation resources that were procured by SCE on their behalf. 'Above market' refers to the difference between what the utility pays for electric generation and current market prices for the sale of those resources.

Disputed bills

If you believe there is an error on your bill *or have a question about your service, please call* ***Southern California Edison (SCE)*** *customer support at* ***1-800-655-4555****. If you are not satisfied with SCE's response, submit a complaint to the California Public Utilities Commission (CPUC) at www.cpuc.ca.gov/complaints/. The CPUC's Consumer Affairs Branch (CAB) handles billing and service complaints and can be reached by:*

Telephone 1-800-649-7570 (8:30 AM - 4:30 PM, Monday - Friday)
Mail CPUC, Consumer Affairs Branch, 505 Van Ness Ave., Room 2003, San Francisco, CA 94102

If you have limitations hearing or speaking, contact the California Relay Service, which is for those needing assistance relaying telephone conversations. Dial 711 or one of the numbers below to be routed to a California Relay Service provider in your preferred mode of communication.

Type of Call	*English*	*Spanish*
TTY/VCO/HCO to Voice	*1-800-735-2929*	*1-800-855-3000*
Voice to TTY/VCO/HCO	*1-800-735-2922*	*1-800-855-3000*
Speech-to-Speech Relay	*1-800-854-7784*	*1-800-854-7784*

To avoid having service turned off while waiting for the outcome of a complaint to the CPUC regarding the accuracy of your bill, contact CAB for assistance. If your case meets the eligibility criteria, CAB will instruct you on how to mail a check or money order to be impounded pending resolution of your case. You must continue to pay your current charges while your complaint is reviewed to keep your service turned on.

Definitions

- **Baseline Credit:** The baseline credit provides reduced electricity rates on electricity used up to the baseline allocation for the region that you live in.
- **CA Climate Credit:** Credit from state effort to fight climate change. Applied monthly to eligible businesses and semi-annually to residents.
- **Wildfire Fund Charge:** Supports the California Wildfire Fund which covers costs associated with catastrophic wildfires, including payment of bonds issued by the California Department of Water Resources (DWR)
- **Public Purpose Programs Charge:** Funds state-mandated programs for low income discounts, energy efficiency, renewable energy and R&D.
- **SCE Generation:** For recovering energy procurement and generation costs for that portion of your energy provided by SCE.

To change your contact information, complete the form below and return it to SCE

Change of mailing address: 701007008978

STREET#	STREET NAME		APARTMENT #
CITY		STATE	ZIP CODE
TELEPHONE #	E-MAIL ADDRESS		

Energy Assistance Fund (EAF): I want to help people pay their energy bill through EAF. For info visit www.sce.com/eaf or call (800) 205-8596.

Add this amount for EAF $ __________ Select one box only and sign below for EAF:

☐ Every Month ☐ One Month only

____

Details of your new charges

Your rate: DOMESTIC
Billing period: 06/12/26 to 07/13/26 (32 days)

Delivery charges - *Cost to deliver your electricity*		
Base services charge	32 days x $0.76906	$24.61
Energy-Summer		
Tier 1 (within baseline)	153 kWh x $0.17862	$27.33
Wildfire fund charge	153 kWh x $0.00591	$0.90
Generation charges - *Cost to generate your electricity*		
SCE		
Energy-Summer		
Tier 1 (within baseline)	153 kWh x $0.11761	$17.99
Other charges or credits		
Fixed recovery charge	153 kWh x $0.00619	$0.95
Subtotal of your new charges		$71.78
State tax	153 kWh x $0.00030	$0.05
Your new charges		**$71.83**

Your Delivery charges include:
- *$3.79 transmission charges*
- *$41.30 distribution charges*
- *$0.01 nuclear decommissioning charges*
- *-$5.72 conservation incentive adjustment*
- *$11.14 public purpose programs charge*
- *$1.27 new system generation charge*

Your Generation charges include:
- *$0.02 competition transition charge*
- *-$0.92 power charge indifference adjustment (PCIA)*

Your overall energy charges include:
- *$0.67 franchise fees*

Additional information:
- *Service voltage: 208 volts*
- *Your summer baseline allowance: 278.0 kWh*
- *Includes All-Electric Baseline Allocation*

Your Total Usage: **153 kWh**	Tier 1	Tier 2
Understanding Your Bill... *Your usage for the billing period falls into* ***Tier 1****. For most customers, the price you pay increases as you use more energy. The average cost per kilowatt (kWh) in the chart to the right is based on averages. Actual prices may vary.*	153 kWh	0 kWh
	$0.30/kWh	$0.40/kWh
	Your Total Usage 153 kWh	

Things you should know

Fixed Recovery Charge

SCE has been permitted to issue bonds that enable it to recover more quickly certain costs related to preventing and mitigating catastrophic wildfires. Your bill for electric service includes a Fixed Recovery Charge that has been approved by the CPUC to repay those bonds. The right to recover the Fixed Recovery Charge has been transferred to a separate entity (called the Special Purpose Entity) that issued the bonds and does not belong to SCE. SCE is collecting the Fixed Recovery Charge on behalf of the Special Purpose Entity.

Stay in Control

If you're behind on payments, enrolled in a payment plan, or facing disconnection, we offer options and energy management solutions to help you stay in control of your bill and costs. Learn more at www.sce.com/billsupport.

Share Your Thoughts at a Public Participation Hearing

Regarding Order Instituting Rulemaking to Consider New Approaches to Disconnections and Reconnections to Improve Energy Access and Contain Costs (R.18-07-005)

August 6, 2026 - 2 p.m. & 6 p.m. (*remote only*)

Webcast: adminmonitor.com/ca/cpuc
Phone Number: 1-800-857-1917
Passcode: 1673482#

Please note: If you wish to make a public comment, you must participate by phone using the information above. Once you've entered the passcode press *1 and record your name when prompted. A quorum of commissioners may attend but no decisions will be made at this hearing.

What is This About?
The purpose of Rulemaking (R.18-07-005) is to find ways to reduce the disconnection rates of electric and gas services for California customers. The California Public Utilities Commission (CPUC) is exploring additional ways to reduce disconnections and seeking public input on programs, policies, or other approaches that could further lower disconnection rates and reduce impacts on customers.

Why Attend?
These hearings are your opportunity to share your thoughts on customer assistance programs, ways to help customers understand and timely pay their bills, and any experiences you may have had with disconnections for nonpayment. These hearings are part of a proceeding being overseen by an administrative law judge. Your comments could help the CPUC produce a more robust decision and shape future customer programs.

Additional Information
You can read more about the rulemaking and make public comments by visiting **apps.cpuc.ca.gov/c/R1807005**. To read and download a fact sheet about this rulemaking visit **https://www.cpuc.ca.gov/PPH**.

If you need language interpretation or other reasonable accommodations, please contact the Public Advisor's Office at least five days in advance of the hearing. For questions about participating in CPUC matters, you can contact the Public Advisor's Office at **Public.Advisor@cpuc.ca.gov**, **1-866-849-8390**, or 505 Van Ness Ave., San Francisco, CA 94102.

Please refer to R.18-07-005 in any communication with the CPUC.

Questions About Southern California Edison Company (SCE) and the Rulemaking
For questions about SCE's part in this rulemaking proceeding, please contact
Case Administrator

Email: case.admin@sce.com
Phone: **1-626-302-0449**
Mail:

Southern California Edison Company
Attn: Case Administrator re: R. 18-07-005
P.O. Box 800
Rosemead, CA 91770

Notice of Southern California Edison's Rate Increase Request

Southern California Edison's Joint Application to the California Public Utilities Commission (CPUC) A. 26-06-019

What is Being Requested?
Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (SCE) (jointly the Investor Owned Utilities or IOUs) are filing a joint application proposing to apply their respective Electric Tariff Rules 17 /18, which governs backbillings to all charges on the IOUs' bills, as ordered by the CPUC in Decision 25-09-030.

As part of the joint application, SCE is individually seeking to recover $1.793 million in incremental costs from 2029-2034 to implement billing system changes. SCE has been ordered to propose how to treat backbilling for all charges (bundled and unbundled) on its bill. Based on the year of the highest rate impact, this amounts to a total requested rate increase of 0.001¢/kWh or 0.003 percent.[1]

Proposed Increase by Customer Class

Customer Class	¢/kWh Increase	% Increase
Residential (Non-CARE)	0.001	0.003%
Residential (CARE)	0.001	0.003%
Lighting, Small, & Medium Power	0.001	0.003%
Large Power	0.0004	0.002%
Agricultural & Pumping	0.001	0.002%
Street & Area Lighting	0.0004	0.001%
Standby	0.0002	0.002%

The table shows the requested increase in rates for the year with the highest revenues (2030) compared to current rates. Actual changes in rates may vary by year.

How Would This Impact the Average Residential Customer?
If the request is approved, the average residential customer using 500 kWh per month would see a rate increase of approxismately $0.005 per month.[2] Similarly, a typical CARE residential customer using 500 kWh per month would see a bill increase of $0.003 per month.[3] The actual impact will vary based on usage, baseline territory, and other factors.

Additional Information
An administrative law judge may hold hearings, consider evidence, testimony, and public comments before drafting a proposed decision on this application. CPUC Commissioners will then vote on a final decision at a public meeting.

You can read more about the utility's request and make public comment by visiting apps.cpuc.ca.gov/c/A2606019. For questions about participating in CPUC matters, you can contact the Public Advisor's Office at Public.Advisor@cpuc.ca.gov, **1-866-849-8390**, or 505 Van Ness Ave., San Francisco, CA 94102. Please reference A.26-06-019 in any communication with the CPUC.

Questions About the Request
For questions about this application, please contact SCE by: Phone: **1-800-655-4555**; Email case.admin@sce.com; Mail: Case Administrator, A.26-06-XXX - Rule 17 Application, Southern California Edison Company, P.O. Box 800 Rosemead, CA 91770, or visit www.sce.com/applications for further information.

[1] Rate change will vary each year. Percentage calculated using largest rate increase for the application years.
[2] Year 2030 of the application was used to calculate typical customer bill because it is the year with the largest increase of $0.571 M.
[3] *Id.*

Amanda da Silva Martins **File No. A 256-049-798**

Proof of Service

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

RESPONDENT'S MOTION TO REOPEN PROCEEDINGS AND RESCIND IN ABSENTIA REMOVAL ORDER

To the following:

Office Location:	**Mailing Address:**
Office of the Principal Legal Advisor Department of Homeland Security 1251 E. Dyer Road, Suite 200 Santa Ana, CA 92705	US Immigration and Customs Enforcement US Department of Homeland Security 1251 E. Dyer Road, Suite 200 Santa Ana, CA 92705

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.

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