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Non-Detained

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
1855 GATEWAY BLVD., SUITE 850
CONCORD, CA 94520

In the Matter of	)	
Olga Maria Fernanda Tupul Salanic	)	**File No. A. 226-151-273**
Lester Antonio Cayax	)	**File No. A. 226-151-274**
Lester Samuel Cayax Tupul	)	**File No. A. 226-151-275**
In Removal Proceedings	)	

Immigration Judge: Craig, Kamra

Next Hearing: October 6, 2026 at 8:30 AM

RESPONDENTS' WRITTEN PLEADINGS

UNITED STATES DEPARTMENT OF JUSTICE
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1855 GATEWAY BLVD., SUITE 850
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In the Matter of	)	
Olga Maria Fernanda Tupul Salanic	)	**File No. A. 226-151-273**
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In Removal Proceedings	)	

RESPONDENTS' WRITTEN PLEADINGS

COMES NOW, Natalia Vieira Santanna, counsel for the above-referenced respondents, and makes the following representations:

1. The Respondents concede proper service of the Notices to Appear, dated November 9, 2024.
2. I have explained to the respondents:
    a. The rights set forth in 8 C.F.R. § 1240.10(a);
    b. The consequences of failing to appear in court as set forth in INA § 240(b)(5);
    c. The limitation on discretionary relief for failure to appear is set forth in INA § 240(b)(7);
    d. The consequences of knowingly filing or making a frivolous application as set forth in INA § 208(d)(6);
    e. The requirement to notify the court within five days of any change of address or telephone number, using Form EOIR-33/IC pursuant to 8 C.F.R. § 1003.15(d)
3. The Respondents admit the charge of removability under **212(a)(6)(A)(i)** of the Immigration and Nationality Act (INA), as amended, in that the Respondents are aliens present in the United States

without being admitted or paroled, or who arrived in the United States at a time or place other than as designated by the Attorney General.

4. The Respondents admit the factual allegations 1 through 4 in the Notices to Appear, corresponding to:

a) The Respondents are not citizens or nationals of the United States;

b) The Respondents are natives of Guatemala and citizens of Guatemala;

c) The Respondents arrived in the United States at or near Otay Mesa, California, on or about November 9, 2024;

d) The Respondents were not then admitted or paroled after inspection by an Immigration Officer.

5. The Respondents concede the charge of removability.

6. In the event of removal, the Respondents decline to designate a country of removal. The Respondents will be applying for the following forms of relief from removal:

a) Asylum, Withholding of Removal, and protection under the Convention Against Torture: forms I-589s have been filed for each Respondent;

b) Any other relief for which the Respondents may be eligible.

7. If background and security investigations are required, the Respondents will comply with instructions to be received from the DHS. Counsel will explain the biometric instructions to the Respondents. In addition, counsel will explain to the Respondents that, under 8 C.F.R. § 1003.47(d), failure to provide biometrics or other biographical information within the time allowed will constitute abandonment of the application unless the Respondents demonstrate that such failure was the result of good cause.

8. The Respondents estimate that the individual merits hearing will take approximately three (3) hours. Accordingly, they respectfully request that the Court reserve sufficient time for the conduct of the hearing.

9. The Respondents speak Guatemalan Spanish as their first language. Therefore, the Respondents respectfully request a Guatemalan Spanish interpreter for all future hearings.

10. Based on the foregoing, counsel respectfully requests that the Court accept these Written Pleadings.

Respectfully,

_____

Natalia Vieira Santanna (Bar N. 337502)
Attorney at Law
P.O. Box 7528
Oakland, CA 94601
(510) 922-0154
Counsel for Respondents

Exhibit list

Exhibits:	Pages:
Exhibit 1	
Olga María Fernanda Tupul Salanic's Pleading Declaration	1-2
Exhibit 2	
Lester Antonio Cayax's Pleading Declaration	3-4

Exhibit 1

RESPONDENT'S PLEADING DECLARATION

I, Olga Maria Fernanda Tupul Salanic (A-Number 226-151-273), declare, under penalty of perjury, that I am a native of Guatemala and my native language is Spanish. I am not fluent in English and cannot fully and adequately understand communication in the language.

I, Olga Maria Fernanda Tupul Salanic, have been advised of my rights in these proceedings by my attorney and representative. I understand those rights. I waive a further explanation of those rights by this court.

I have been advised by my attorney and representative of the consequences of failing to appear for a hearing. I have also been advised by my attorney of the consequences of failing to appear for a scheduled date of departure or deportation. I understand those consequences.

I have been advised by my attorney and representative of the consequences of knowingly filing a frivolous asylum application. I understand those consequences.

I have been advised by my attorney and representative of the consequences of failing to follow the DHS biometrics instructions within the time allowed. I understand those consequences.

I understand that if my address changes, I must notify the court within 5 days of such change by completing an Alien's Change of Address Form (Form EOIR-33/IC) and filing it with this court.

Finally, my attorney or representative has explained to me what this Written Pleading says. I understand it, I agree with it, and I request that the court accept it as my pleading.

/ SIGNATURE/

_____ Date: 05/05/2026

OLGA MARIA FERNANDA TUPUL SALANIC

I, André Vinicius Inacio Penna Mello, telephone number 415 425-2508, mailing address P.O. Box 90487, San Diego, CA 92169, certify that the professional translation of this document from Spanish to English has been performed by myself, a qualified translator fluent in both languages, and that the following is an accurate and complete translation of the document.

André Penna Mello **Date:** 05/05/2026

DECLARACIÓN DE PETICIONES FINALES

Yo, Olga Maria Fernanda Tupul Salanic (A-Number 226-151-273), declaro, bajo pena de perjurio, que soy originaria de Guatemala y que mi idioma nativo es el español. No soy fluida en inglés y no puedo comprender plena y adecuadamente las comunicaciones en ese idioma.

Yo, Olga Maria Fernanda Tupul Salanic, he sido informada sobre mis derechos en este proceso por mi abogada y representante. Entiendo estos derechos. Renuncio a una explicación adicional de estos derechos por parte de este Tribunal.

He sido informada por mi abogada y representante sobre las consecuencias de no comparecer a una audiencia. También fui informada por mi abogada sobre las consecuencias de no comparecer en una fecha programada de salida o deportación. Entiendo estas consecuencias.

Fui informada por mi abogada y representante sobre las consecuencias de presentar conscientemente una solicitud de asilo frívola. Entiendo estas consecuencias.

Fui informada por mi abogada y representante sobre las consecuencias de no seguir las instrucciones biométricas del DHS dentro del plazo permitido. Entiendo estas consecuencias.

Entiendo que, si cambia mi dirección, debo notificar al Tribunal dentro de 5 días de dicho cambio, llenando el Formulario de Cambio de Dirección de Extranjero (Formulario EOIR-33/IC) y presentándolo ante este Tribunal.

Finalmente, mi abogada y representante me explicó lo que dice esta Declaración Escrita. Entiendo, estoy de acuerdo y solicito que el Tribunal acepte mi declaración.



Fecha: 05/05/2026

OLGA MARIA FERNANDA TUPUL SALANIC

Exhibit 2

RESPONDENT'S PLEADING DECLARATION

I, Lester Antonio Cayax (A-Number 226 151 274), declare, under penalty of perjury, that I am a native of Guatemala and my native language is Spanish. I am not fluent in English and cannot fully and adequately understand communication in the language.

I, Lester Antonio Cayax, have been advised of my rights in these proceedings by my attorney and representative. I understand those rights. I waive a further explanation of those rights by this court.

I have been advised by my attorney and representative of the consequences of failing to appear for a hearing. I have also been advised by my attorney of the consequences of failing to appear for a scheduled date of departure or deportation. I understand those consequences.

I have been advised by my attorney and representative of the consequences of knowingly filing a frivolous asylum application. I understand those consequences.

I have been advised by my attorney and representative of the consequences of failing to follow the DHS biometrics instructions within the time allowed. I understand those consequences.

I understand that if my address changes, I must notify the court within 5 days of such change by completing an Alien's Change of Address Form (Form EOIR-33/IC) and filing it with this court.

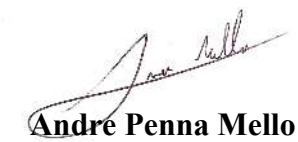
Finally, my attorney or representative has explained to me what this Written Pleading says. I understand it, I agree with it, and I request that the court accept it as my pleading.

/ SIGNATURE/

_____ Date: 09/14/2026

LESTER ANTONIO CAYAX

I, André Vinicius Inacio Penna Mello, telephone number 415 425-2508, mailing address P.O. Box 90487, San Diego, CA 92169, certify that the professional translation of this document from Spanish to English has been performed by myself, a qualified translator fluent in both languages, and that the following is an accurate and complete translation of the document.



André Penna Mello **Date:** 09/14/2026

DECLARACIÓN DE PETICIONES FINALES

Yo, Lester Antonio Cayax (A-Number 226 151 274), declaro, bajo pena de perjurio, que soy originario de Guatemala y que mi idioma nativo es el español. No soy fluido en inglés y no puedo comprender plena y adecuadamente las comunicaciones en ese idioma.

Yo, Lester Antonio Cayax, he sido informado sobre mis derechos en este proceso por mi abogada y representante. Entiendo estos derechos. Renuncio a una explicación adicional de estos derechos por parte de este Tribunal.

He sido informado por mi abogada y representante sobre las consecuencias de no comparecer a una audiencia. También fui informado por mi abogada sobre las consecuencias de no comparecer en una fecha programada de salida o deportación. Entiendo estas consecuencias.

Fui informado por mi abogada y representante sobre las consecuencias de presentar conscientemente una solicitud de asilo frívola. Entiendo estas consecuencias.

Fui informado por mi abogada y representante sobre las consecuencias de no seguir las instrucciones biométricas del DHS dentro del plazo permitido. Entiendo estas consecuencias.

Entiendo que, si cambia mi dirección, debo notificar al Tribunal dentro de 5 días de dicho cambio, llenando el Formulario de Cambio de Dirección de Extranjero (Formulario EOIR-33/IC) y presentándolo ante este Tribunal.

Finalmente, mi abogada y representante me explicó lo que dice esta Declaración Escrita. Entiendo, estoy de acuerdo y solicito que el Tribunal acepte mi declaración.



Fecha: 14/09/2026

LESTER ANTONIO CAYAX

Olga Maria Fernanda Tupul Salanic **File No. A. 226-151-273**
Lester Antonio Cayax **File No. A. 226-151-274**
Lester Samuel Cayax Tupul **File No. A. 226-151-275**

Proof of Service

On this day, I, Natalia Vieira Santanna, served a copy of the following documents:

RESPONDENTS' WRITTEN PLEADINGS

To the following:

Office Location:	**Mailing Address:**
Office of the Principal Legal Advisor Department of Homeland Security 100 Montgomery Street, Suite 200 San Francisco, CA 94104	Office of the Principal Legal Advisor Department of Homeland Security Office of the Chief Counsel P.O Box 26449 San Francisco, CA 94126-6449

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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