Non-Detained

HS Law Corp.
Otavio Haverroth Silva, SBN#343486
P.O. Box 90487
San Diego, CA 92169
(510) 241-9336

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
900 Market Street, Suite 504
Philadelphia, PA 19107

In the Matter of	)	
Jose Paixao de Lima	)	**File No. A 216-914-874**
Arlete Cabral Teixeira	)	**File No. A 216-914-875**
In Removal Proceedings	)	

Immigration Judge: Fox, Melissa **Next Hearing Date:** September 8, 2026, at 8:00 AM.

RESPONDENTS' WRITTEN PLEADINGS

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RESPONDENTS' WRITTEN PLEADINGS

COMES NOW, pursuant to the Immigration Court's Order dated April 29, 2026, Otavio Haverroth Silva, counsel for Respondents, respectfully submits the following Written Pleadings.

1. The Respondents admit proper service of the Notice to Appear (NTA) issued by the Department of Homeland Security, dated June 24, 2021.

2. Counsel has explained to Respondents the following:

(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 as 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. Respondents admit the allegation under **INA § 212 (a) (6) (A) (i)** of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

5. Respondents admits factual allegations (1) through (4) set forth in the Notice to Appear:

(1) Respondents are not citizens or nationals of the United States;

(2) Respondents are natives and citizens of Brazil;

(3) Respondents entered the United States at or near San Ysidro, California, on or about June 21, 2021;

(4) Respondents were not then admitted or paroled after inspection by an Immigration Officer.

6. In the event of removal, Respondents decline to designate a country of removal.

7. Respondents intend to apply for the following forms of relief from removal:

(a) Asylum, Withholding of Removal, and protection under the Convention Against Torture (CAT): a Form I-589 has already been filed in Respondent Arlete's record, with Respondent José Paixão listed as a derivative;

(b) In the alternative, voluntary departure;

(c) Any other form of relief for which Respondents may become eligible;

8. Respondents will comply with all biometric and biographical data requirements from DHS. Counsel has advised Respondents that, pursuant to 8 C.F.R. § 1003.47(d), failure to provide biometrics within the time allowed, absent good cause, will constitute abandonment of the application.

9. Respondents native language is Brazilian Portuguese. Respondents respectfully request that a certified interpreter in Brazilian Portuguese be provided for all future hearings.

10. Respondents estimate that the individual merits hearing will require approximately three (3) hours. Respondents respectfully request that the Court reserve sufficient time for the full presentation of evidence and testimony.

11. Based on the foregoing, counsel respectfully requests that this Honorable Court accept these Written Pleadings.

Respectfully,



Otavio Haverroth Silva (Bar N.343486)
Attorney at Law
P.O. Box 90487, San Diego, CA 92169
(510) 241-9336
Counsel for Respondents

Exhibit list

Exhibits:	Pages:
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Arlete Cabral Teixeira's Pleading Declaration with English Translation	1-2
Exhibit 2	
Jose Paixao de Lima's Pleading Declaration with English Translation	3-4

Exhibit 1

RESPONDENT'S PLEADING DECLARATION

I, Arlete Cabral Teixeira (A-216-914-875), declare under penalty of perjury that I am a native of Brazil and that my native language is Portuguese. I am not fluent in English and I am not able to fully and adequately understand communication in the English language.

I, Arlete Cabral Teixeira, have been advised of my rights in these proceedings by my attorney and representative. I understand these rights. I waive any further explanation of these rights by this Court.

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

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

I have been advised by my attorney and representative of the consequences of failing to comply with DHS biometric instructions within the time allowed. I understand these consequences.

I understand that, if my mailing 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 and representative has explained to me what this Written Declaration says. I understand, agree, and respectfully request that the Court accept my declaration.

/ SIGNATURE/

Date: July 2, 2026.

ARLETE CABRAL TEIXEIRA

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 Portuguese 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.



Date: July 2, 2026.

ANDRÉ VINICIUS INACIO PENNA MELLO

DECLARAÇÃO DE PLEITOS FINAIS

Eu, Arlete Cabral Teixeira (A- 216-914-875), declaro, sob pena de perjúrio, que sou nativa do Brasil e o meu idioma nativo é o português. Não sou fluente em inglês e não consigo entender a comunicação no idioma de forma ampla e adequada.

Eu, Arlete Cabral Teixeira fui informada sobre meus direitos neste processo pelo meu advogado e representante. Eu entendo esses direitos. Renuncio a uma explicação adicional desses direitos por este tribunal.

Fui informada pelo meu advogado e representante sobre as consequências de não comparecer a uma audiência. Também fui informada pelo meu advogado sobre as consequências de não comparecer a uma data programada de partida ou deportação. Eu entendo essas consequências.

Fui informada pelo meu advogado e representante sobre as consequências de apresentar conscientemente um pedido de asilo frívolo. Eu entendo essas consequências.

Fui informada pelo meu advogado e representante sobre as consequências de não seguir as instruções biométricas do DHS dentro do prazo permitido. Eu entendo essas consequências.

Entendo que, se meu endereço de correspondência mudar, devo notificar o tribunal dentro de 5 dias após essa mudança, preenchendo um Formulário de Mudança de Endereço de Estrangeiro (Formulário EOIR-33/IC) e apresentando-o a este tribunal.

Finalmente, meu advogado e representante me explicou o que esta Declaração Escrita diz. Eu entendo, concordo e solicito que o tribunal aceite a minha declaração.

Arlete Cabral Teixeira

ARLETE CABRAL TEIXEIRA

Data: 2 de julho de 2026.

Exhibit 2

RESPONDENT'S PLEADING DECLARATION

I, Jose Paixao de Lima (A-216-914-874), declare under penalty of perjury that I am a native of Brazil and that my native language is Portuguese. I am not fluent in English and I am not able to fully and adequately understand communication in the English language.

I, Jose Paixao de Lima, have been advised of my rights in these proceedings by my attorney and representative. I understand these rights. I waive any further explanation of these rights by this Court.

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

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

I have been advised by my attorney and representative of the consequences of failing to comply with DHS biometric instructions within the time allowed. I understand these consequences.

I understand that, if my mailing 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 and representative has explained to me what this Written Declaration says. I understand, agree, and respectfully request that the Court accept my declaration.

/ SIGNATURE/

Date: July 7, 2026.

JOSE PAIXAO DE LIMA

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 Portuguese 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.



Date: July 7, 2026.

ANDRÉ VINICIUS INACIO PENNA MELLO

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Jose Paixao de Lima **File No. A 216-914-874**
Arlete Cabral Teixeira **File No. A 216-914-875**

Proof of Service

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

RESPONDENT'S WRITTEN PLEADINGS

To the following:

Office Location:	**Mailing Address:**
Office of the Principal Legal Advisor Department of Homeland Security 900 Market Street, Suite 346 Philadelphia, PA 19107	US Immigration and Customs Enforcement US Department of Homeland Security Office of the Principal Legal Advisor 900 Market Street, Suite 346 Philadelphia, PA 19107

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 Haverroth Silva (Bar N.343486)
Attorney at Law
P.O. Box 90487, San Diego, CA 92169
(510) 241-9336
Counsel for Respondents