

Law Office of

# Charles Medina

## Immigration Judge Grants Bond

- Client Had 2 Minor Offenses

In 2010, Client had a conviction for fraudulent sale of property. After serving her 60-day jail sentence, Immigration and Customs Enforcement (ICE) took custody of Client and detained her for removal proceedings.

ICE refused to release Client from custody due to her 2010 conviction and a prior conviction for petty theft. ICE found that both of these offenses are crimes involving moral turpitude (CIMT). Under the law, an alien convicted of a CIMT is subject to mandatory detention and is not entitled to be released on bond while removal proceedings are pending.

We applied for a bond redetermination before the Immigration Judge (IJ). We argued that each of Client's conviction falls under an applicable exception. Hence, these offenses do not count as convictions for immigration purposes. The IJ granted bond and ordered Client's release.

Please see the attachment(s) in the next page(s).

Disclaimer: This material is not intended to provide legal advice on any specific concern that the reader may have. The successful outcome of the case described above does not in any way guarantee a similar outcome in any specific legal matter concerning the reader. The reader should seek the advice of any counsel if he or she has a specific immigration problem.  
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U.S. DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
8915 MONTANA AVENUE, SUITE 100  
EL PASO, TX 79925

FILE: A [REDACTED]

IN THE MATTER OF:  
[REDACTED]

RESPONDENT  
IN REMOVAL PROCEEDINGS

ORDER OF THE IMMIGRATION JUDGE  
WITH RESPECT TO CUSTODY

Request having been made for a change in the custody status of respondent pursuant to 8 CFR 236.1(c), and full consideration having been given to the representations of the Department of Homeland Security and the respondent, it is hereby

ORDERED that the request for a change in custody status be denied.

ORDERED that the request be granted and that respondent be:

released from custody on his own recognizance

released from custody under bond of \$ 1,000

OTHER \_\_\_\_\_

Copy of this decision has been served on the respondent and the Department of Homeland Security.

APPEAL: waived - reserved

EL PASO - EL PASO, TEXAS

Date: January 31, 2011

[REDACTED]  
Immigration Judge