

Law Office of

Charles Medina

Immigration Judge Terminates Proceedings

- Client Caught With Marijuana But With Prescription

Client, a green card holder, had a finger amputated after a work-related accident. Afterwards, he began to experience chronic pain and migraine. The doctor gave Client a prescription to use marijuana to alleviate his pain.

In 2010, Client traveled to Mexico. On his way back to the U.S., Customs and Border Patrol (CBP) found in his possession less than 4 grams of marijuana. Client showed his doctor's prescription but CBP initiated removal proceedings against him anyway.

Client hired us to represent him in his removal proceedings. During his first hearing, we were able to persuade the Court to terminate his proceedings after we argued that Client had not committed any immigration violation because his use of marijuana was authorized under both California and Federal laws. Client has retained his green card after only one hearing.

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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UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE IMMIGRATION JUDGE
IMPERIAL, CALIFORNIA

In the Matter of:

File No. A- [REDACTED]

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of Respondent's Motion to Terminate Removal Proceedings, it is HEREBY ORDERED that the motion be GRANTED DENIED because:

- DHS does not oppose the motion.
- The Respondent does not oppose the motion.
- A response to the motion has not been filed with the court.
- Good cause has been established for the motion.
- The court agrees with the reasons stated in the opposition to the motion.
- The motion is untimely per _____

Other: ICE emphasizes that DHS agrees to termination as a matter of exercise of prosecutorial discretion. ICE maintains possession of marijuana, even for medical purposes, is removable offense.

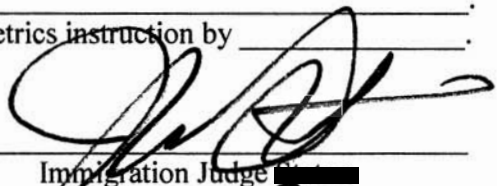
Deadlines:

- The application(s) for relief must be filed by _____.
- The respondent must comply with DHS biometrics instruction by _____.

Dated

9/24/10

Immigration Judge [REDACTED]


JACK W. STATION

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