

## **CHECKLIST FOR SKELETAL TEMPLATE MOTIONS TO RESCIND AND REOPEN IN ABSENTIA REMOVAL ORDER**

### **For filing with the immigration court that issued the in absentia order:**

- Cover Letter (*sample included*)
- Notice(s) of Entry of Appearance as Attorney for *Each Respondent*
  - EOIR 28:  
(<https://www.justice.gov/sites/default/files/pages/attachments/2015/07/24/eoir28.pdf>)
- Fee Waiver Motion **or** \$110 Filing Fee (NOTE: A filing fee / fee waiver is NOT required for motions based on lack of notice and/or seeking to reopen to apply for asylum, withholding, or CAT protection)
  - Fee Waiver
    - Motion for a Fee Waiver (*sample included*), AND
    - Form EOIR 26A:  
(<https://www.justice.gov/sites/default/files/pages/attachments/2015/07/24/eoir26a.pdf>)
  - **OR** \$110 Filing Fee:
    - Pay at local USCIS office and attach receipt to MTR
- Motion to Rescind and Reopen In Absentia Removal Order (*sample included*)
  - Motion
  - Exhibit List and Exhibits
  - Proof of Service on Local DHS Office of Chief Counsel
  - Proposed Order

### **To ICE Enforcement and Removal Office with authority over client's place of detention:**

- Letter notifying ICE of automatic stay of removal (*sample included*)