

**U.S. District Court
District of New Jersey [LIVE] (Trenton)
CIVIL DOCKET FOR CASE #: 3:12-cv-02806-FLW**

GAYLE v. ELWOOD et al
Assigned to: Judge Freda L. Wolfson
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 05/10/2012
Jury Demand: None
Nature of Suit: 463 Habeas Corpus – Alien
Detainee
Jurisdiction: U.S. Government Defendant

Petitioner

GARFIELD O. GAYLE
TERMINATED: 03/15/2013

represented by **JONATHAN MATTHEW MANES**
GIBBONS PC
ONE GATEWAY CENTER
NEWARK, NJ 07102
973-596-4823
Email: jmanes@gibbonslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

LAWRENCE S. LUSTBERG
GIBBONS, PC
ONE GATEWAY CENTER
NEWARK, NJ 07102-5310
(973) 596-4731
Email: llustberg@gibbonslaw.com
ATTORNEY TO BE NOTICED

Petitioner

NEVILLE SUKHU

represented by **JONATHAN MATTHEW MANES**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

LAWRENCE S. LUSTBERG
(See above for address)
ATTORNEY TO BE NOTICED

Petitioner

SHELDON FRANCOIS

represented by **JONATHAN MATTHEW MANES**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

LAWRENCE S. LUSTBERG
(See above for address)
ATTORNEY TO BE NOTICED

V.

Respondent

BRIAN ELWOOD
in his/her official capacity as Warden

represented by **JENNIFER A. BOWEN**
U.S. DEPARTMENT OF JUSTICE
OFFICE OF IMMIGRATION
LITIGATION
DISTRICT COURT SECTION
P.O. BOX 868
BEN FRANKLIN STATION
WASHINGTON, DC 20044
202-616-3558

Email: jennifer.bowen@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

PETER G. O'MALLEY
OFFICE OF THE U.S. ATTORNEY
970 BROAD STREET
SUITE 700
NEWARK, NJ 07102
(973) 645-2921
Email: peter.omalley@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

**MONMOUTH COUNTY
CORRECTIONAL FACILITY**

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

PETER G. O'MALLEY
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

SCOTT A. WEBER
*in his official capacity as Newark Field
Office Director for Detention and
Removal*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

PETER G. O'MALLEY
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

JOHN T. MORTON
*in his official capacity as Acting Assistant
Secretary of U.S. Immigration and
Customs Enforcement*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

PETER G. O'MALLEY
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

JANET NAPOLITANO
*in her official capacity as the Secretary of
the U.S. Department of Homeland
Security*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

PETER G. O'MALLEY
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

ERIC HOLDER
*in his official capacity as Attorney
General of the U.S. Department of Justice*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

PETER G. O'MALLEY
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

JUAN OSUNA
*in his official capacity as Director of the
Executive Office of Immigration Review*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

JOHN TSOUKARIS
*in his official capacity as Field Office
Director for Enforcement and Removal
Operations, Newark Field Office of U.S.
Immigration and Customs Enforcement*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

CHRISTOPHER SHANAHAN
*in his official capacity as Field Office
Director for Enforcement and Removal
Operations, New York Field Office of U.S.
Immigration and Customs Enforcement*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

RAY SIMONSE
*in his official capacity as Acting Field
Office Director for Enforcement and
Removal Operations, Newark Field Office
of U.S. Immigration and Customs
Enforcement*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

ROBERT BIGGOTT
*in his official capacity as Warden of the
Bergen County Jail*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

JOSEPH TRABUCCO
*in his official capacity as Director of the
Delaney Hall Detention Facility*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

ORLANDO RODRIGUEZ
*in his official capacity as Warden of the
Elizabeth Contract Detention Facility*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

Warden ROY L. HENDRICKS
*in his official capacity as Warden of the
Essex County Correctional Facility*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

OSCAR AVILES
*in his official capacity as Director of the
Hudson County Correctional Facility*

represented by **JENNIFER A. BOWEN**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/10/2012	<u>1</u>	PETITION for Writ of Habeas Corpus 2241 (Filing fee \$ 5, Receipt number TRE021690.), filed by GARFIELD O. GAYLE. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Letter from The Legal Aid Society)(jjc) (Entered: 05/10/2012)
05/10/2012	<u>2</u>	APPLICATION for Issuance of Order to Show Cause for by GARFIELD O. GAYLE. (Attachments: # <u>1</u> Text of Proposed Order)(jjc) (Entered: 05/10/2012)
09/05/2012	<u>3</u>	Letter from Garfield O. Gayle requesting that an Order to Show Cause be issued. (mmh) (Entered: 09/05/2012)
10/19/2012	<u>4</u>	ORDER that the Clerk of the Court shall serve copies of the Petition, this Order, and all other documents docketed in this matter upon Respondents by certified mail, return receipt requested; the Clerk shall forward a copy of the Petition and this Order to the Chief Civil Division, United States Attorney's Office; that, within 30 days after the date of entry of this Order, Respondents shall electronically file a full and complete answer to said Petition. Signed by Judge Freda L. Wolfson on 10/19/2012. (mmh) (Additional attachment(s) added on 10/19/2012: # <u>1</u> Certified Mail Receipts) (mmh). (Entered: 10/19/2012)
10/22/2012	<u>5</u>	Certified Mail Receipt Returned re <u>4</u> Order to Answer; sent to BRIAN ELWOOD. (mmh) (Entered: 10/22/2012)
10/22/2012	<u>6</u>	Certified Mail Receipt Returned re <u>4</u> Order to Answer, sent to MONMOUTH COUNTY CORRECTIONAL FACILITY. (mmh) (Entered: 10/22/2012)
10/24/2012	<u>7</u>	Certified Mail Receipt Returned re <u>4</u> Order to Answer, sent to SCOTT A. WEBER. (mmh) (Entered: 10/24/2012)
11/05/2012	<u>8</u>	Letter from Peter O'Malley, AUSA re <u>4</u> Order to Answer,,. (O'MALLEY, PETER) (Entered: 11/05/2012)
11/05/2012	<u>9</u>	Certified Mail Receipt Returned re <u>4</u> Order to Answer, sent to ERIC HOLDER. (mmh) (Entered: 11/05/2012)
11/05/2012	<u>10</u>	Certified Mail Receipt Returned re <u>4</u> Order to Answer, sent to JOHN T. MORTON. (mmh) (Entered: 11/05/2012)
11/05/2012	<u>11</u>	LETTER ORDER granting the Respondent's request for an extension of time to file an answer to the petition; time extended up to and including 12/4/2012. Signed by Judge Freda L. Wolfson on 11/5/2012. (mmh) (Entered: 11/07/2012)
11/15/2012	<u>12</u>	AMENDED COMPLAINT <i>Amended Petition for Writ of Habeas Corpus and Class Action Complaint for Declaratory and Injunctive Relief</i> against BRIAN ELWOOD, ERIC HOLDER, JOHN T. MORTON, JANET NAPOLITANO, JUAN OSUNA, JOHN TSOUKARIS, CHRISTOPHER SHANAHAN, RAY SIMONSE, ROBERT BIGGOTT, JOSEPH TRABUCCO, ORLANDO RODRIGUEZ, ROY L. HENDRICKS, OSCAR AVILES, filed by GARFIELD O. GAYLE, NEVILLE SUKHU, SHELDON FRANCOIS.(LUSTBERG, LAWRENCE) (Entered: 11/15/2012)
11/15/2012	<u>13</u>	MOTION to Certify Class by SHELDON FRANCOIS, GARFIELD O. GAYLE, NEVILLE SUKHU. (Attachments: # <u>1</u> Brief in Support of Motion for Class Certification, # <u>2</u> Declaration of Michael Tan, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Text of Proposed Order, # <u>10</u> Certificate of Service)(LUSTBERG, LAWRENCE) (Entered: 11/15/2012)
11/15/2012	<u>14</u>	CERTIFICATE OF SERVICE by SHELDON FRANCOIS, GARFIELD O. GAYLE, NEVILLE SUKHU re <u>13</u> MOTION to Certify Class (<i>corrected</i>) (LUSTBERG, LAWRENCE) (Entered: 11/15/2012)

11/16/2012		Set Deadlines as to <u>13</u> MOTION to Certify Class . Motion set for 12/17/2012 before Judge Freda L. Wolfson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 11/16/2012)
11/19/2012	<u>15</u>	Certified Mail Receipt Returned sent to Janet Napolitano in re <u>4</u> (ej) (Entered: 11/19/2012)
11/21/2012	<u>16</u>	ORDER to Answer. Signed by Judge Freda L. Wolfson on 11/20/2012. (mmh) (Entered: 11/21/2012)
11/26/2012	<u>17</u>	NOTICE of Appearance by JENNIFER A. BOWEN on behalf of OSCAR AVILES, ROBERT BIGGOTT, BRIAN ELWOOD, ROY L. HENDRICKS, ERIC HOLDER, MONMOUTH COUNTY CORRECTIONAL FACILITY, JOHN T. MORTON, JANET NAPOLITANO, JUAN OSUNA, ORLANDO RODRIGUEZ, CHRISTOPHER SHANAHAN, RAY SIMONSE, JOSEPH TRABUCCO, JOHN TSOUKARIS, SCOTT A. WEBER (BOWEN, JENNIFER) (Entered: 11/26/2012)
11/26/2012	<u>18</u>	Request for Summons to be Issued by NEVILLE SUKHU, GARFIELD O. GAYLE, SHELDON FRANCOIS as to OSCAR AVILES, ROBERT BIGGOTT, ROY L. HENDRICKS, JUAN OSUNA, ORLANDO RODRIGUEZ, CHRISTOPHER SHANAHAN, RAY SIMONSE, JOSEPH TRABUCCO, JOHN TSOUKARIS. (LUSTBERG, LAWRENCE) (Entered: 11/26/2012)
12/03/2012	<u>19</u>	NOTICE of Appearance by JONATHAN MATTHEW MANES on behalf of SHELDON FRANCOIS, GARFIELD O. GAYLE, NEVILLE SUKHU (MANES, JONATHAN) (Entered: 12/03/2012)
12/04/2012	<u>20</u>	RESPONSE to Petition for Writ of Habeas Corpus by OSCAR AVILES, ROBERT BIGGOTT, BRIAN ELWOOD, ROY L. HENDRICKS, ERIC HOLDER, MONMOUTH COUNTY CORRECTIONAL FACILITY, JOHN T. MORTON, JANET NAPOLITANO, JUAN OSUNA, ORLANDO RODRIGUEZ, CHRISTOPHER SHANAHAN, RAY SIMONSE, JOSEPH TRABUCCO, JOHN TSOUKARIS, SCOTT A. WEBER. (Attachments: # <u>1</u> Exhibit 1 – Charles Decl., # <u>2</u> Exhibit A – Notice to Appear, # <u>3</u> Exhibit B – Custody Determination, # <u>4</u> Exhibit C – Alien Address, # <u>5</u> Exhibit D – Creation of LPR, # <u>6</u> Exhibit E – Immigration Hearing, June 2012, # <u>7</u> Exhibit F – Immigration Hearing, Aug. 2012, # <u>8</u> Exhibit G – Immigration Hearing Oct. 2012, # <u>9</u> Exhibit H – IJ Order Oct. 2012, # <u>10</u> Exhibit I – Immigration Hearing, Jan. 2013)(BOWEN, JENNIFER) (Entered: 12/04/2012)
12/21/2012	<u>21</u>	<i>Response/</i> ANSWER to Amended Complaint <i>and Request to Dismiss</i> by OSCAR AVILES, ROBERT BIGGOTT, BRIAN ELWOOD, ROY L. HENDRICKS, ERIC HOLDER, MONMOUTH COUNTY CORRECTIONAL FACILITY, JOHN T. MORTON, JANET NAPOLITANO, JUAN OSUNA, ORLANDO RODRIGUEZ, CHRISTOPHER SHANAHAN, RAY SIMONSE, JOSEPH TRABUCCO, JOHN TSOUKARIS, SCOTT A. WEBER. (Attachments: # <u>1</u> Exhibit 1 – Boyd Decl., # <u>2</u> Exhibit A – Gayle NTA, # <u>3</u> Exhibit B – Gayle I-286, # <u>4</u> Exhibit C – Gayle – Alien Address, # <u>5</u> Exhibit D – Gayle – LPR Record, # <u>6</u> Exhibit E – Gayle – June 2012 Hearing, # <u>7</u> Exhibit F – Gayle – Aug. 2012 Hearing, # <u>8</u> Exhibit G – Gayle – Oct. 2012 Hearing, # <u>9</u> Exhibit H – Gayle – IJ Order, # <u>10</u> Exhibit I – Gayle – Jan. 2013 Hearing, # <u>11</u> Exhibit J – Francois – NTA, # <u>12</u> Exhibit K – Francois – I-286, # <u>13</u> Exhibit L – Francois – Alien Address, # <u>14</u> Exhibit M – Francois – Oct. 2012 Hearing, # <u>15</u> Exhibit N – Francois – Dec. 2012 Hearing, # <u>16</u> Exhibit N-1 – Francois – Jan. 2013 Hearing, # <u>17</u> Exhibit O – Sukhu – NTA, # <u>18</u> Exhibit P – Sukhu – I-286, # <u>19</u> Exhibit Q – Sukhu – Alien Address, # <u>20</u> Exhibit R – Sukhu – Nov. 2011 Hearing, # <u>21</u> Exhibit S – Sukhu – Jan. 2012 Hearing, # <u>22</u> Exhibit T – Sukhu – March 2012 Hearing, # <u>23</u> Exhibit U – Sukhu – ICE Submission of Evidence, # <u>24</u> Exhibit V – Sukhu – Form I-261, # <u>25</u> Exhibit W – Sukhu – I-130 Petition, # <u>26</u> Exhibit X – Sukhu – April 2012 Hearing, # <u>27</u> Exhibit Y – Sukhu – I-797, # <u>28</u> Exhibit Z – Sukhu – July 2012 Hearing, # <u>29</u> Exhibit AA – Sukhu – Oct. 2012 Hearing, # <u>30</u> Exhibit BB– Sukhu – ICE Prehearing Statement, # <u>31</u> Exhibit CC – Sukhu – Dec. 2012 Hearing, # <u>32</u> Exhibit DD – Sukhu – Mar. 2013 Hearing)(BOWEN, JENNIFER) (Entered: 12/21/2012)
12/21/2012	<u>22</u>	MEMORANDUM in Opposition filed by OSCAR AVILES, ROBERT BIGGOTT, BRIAN ELWOOD, ROY L. HENDRICKS, ERIC HOLDER, MONMOUTH COUNTY CORRECTIONAL FACILITY, JOHN T. MORTON, JANET

		NAPOLITANO, JUAN OSUNA, ORLANDO RODRIGUEZ, CHRISTOPHER SHANAHAN, RAY SIMONSE, JOSEPH TRABUCCO, JOHN TSOUKARIS, SCOTT A. WEBER re <u>13</u> MOTION to Certify Class (BOWEN, JENNIFER) (Entered: 12/21/2012)
01/03/2013	<u>23</u>	REPLY to Response re <u>20</u> Response to Habeas Petition,,,,. (Attachments: # <u>1</u> Declaration of Molly Lauterback, # <u>2</u> Exhibit A – Notice to Appear dated Mar. 24, 2012, # <u>3</u> Exhibit B – Application for Cancellation of Removal filed Oct. 15, 2012, # <u>4</u> Exhibit C – Letter from UBJCA Local Union 157 dated July 16, 2012, # <u>5</u> Exhibit D – Affidavit of Martin Allen dated Oct. 9, 2012, # <u>6</u> Exhibit E – Letter from Martin Allen dated Aug. 8, 2012, # <u>7</u> Declaration of Garfield Gayle, # <u>8</u> Declaration of Antoinette Vanderveer, # <u>9</u> Declaration of Isha Gayle, # <u>10</u> Declaration of Niagerine Makanju, # <u>11</u> Certificate of Service)(LUSTBERG, LAWRENCE) (Entered: 01/03/2013)
01/03/2013	<u>24</u>	Letter from Lawrence S. Lustberg re <u>22</u> Memorandum in Opposition of Motion, <u>21</u> Answer to Amended Complaint,,,,,. (LUSTBERG, LAWRENCE) (Entered: 01/03/2013)
01/07/2013	<u>25</u>	LETTER ORDER granting Petitioners/Plaintiffs request for approval of a schedule for Petitioners/Plaintiffs to file reply briefs on two outstanding matters. Signed by Judge Freda L. Wolfson on 1/7/2013. (mmh) (Entered: 01/08/2013)
01/24/2013	<u>26</u>	Consent MOTION for Leave to Appear Pro Hac Vice of <i>Judy Rabinovitz</i> by SHELDON FRANCOIS, GARFIELD O. GAYLE, NEVILLE SUKHU. (Attachments: # <u>1</u> Certification of Judy Rabinovitz, # <u>2</u> Certification of Lawrence S. Lustberg, # <u>3</u> Statement pursuant to Local Rule 7.1, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service)(LUSTBERG, LAWRENCE) (Entered: 01/24/2013)
01/24/2013	<u>27</u>	Consent MOTION for Leave to Appear Pro Hac Vice of <i>Michael Tan</i> by SHELDON FRANCOIS, GARFIELD O. GAYLE, NEVILLE SUKHU. (Attachments: # <u>1</u> Certification of Michael K. T. Tan, # <u>2</u> Certification of Lawrence S. Lustberg, # <u>3</u> Statement pursuant to Local Civil Rule 7.1, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service)(LUSTBERG, LAWRENCE) (Entered: 01/24/2013)
01/24/2013	<u>28</u>	Consent MOTION for Leave to Appear Pro Hac Vice of <i>Dror Ladin</i> by SHELDON FRANCOIS, GARFIELD O. GAYLE, NEVILLE SUKHU. (Attachments: # <u>1</u> Certification of Dror Ladin, # <u>2</u> Certification of Lawrence S. Lustberg, # <u>3</u> Statement pursuant to Local Civil Rule 7.1, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service)(LUSTBERG, LAWRENCE) (Entered: 01/24/2013)
01/24/2013	<u>29</u>	Consent MOTION for Leave to Appear Pro Hac Vice of <i>Ahilan T. Arulanantham</i> by SHELDON FRANCOIS, GARFIELD O. GAYLE, NEVILLE SUKHU. (Attachments: # <u>1</u> Certification of Ahilan T. Arulanantham, # <u>2</u> Certification of Lawrence S. Lustberg, # <u>3</u> Statement pursuant to Local Civil Rule 7.1, # <u>4</u> Text of Proposed Order, # <u>5</u> Certificate of Service)(LUSTBERG, LAWRENCE) (Entered: 01/24/2013)
01/25/2013		Set Deadlines as to <u>26</u> Consent MOTION for Leave to Appear Pro Hac Vice of <i>Judy Rabinovitz</i> . Motion set for 2/19/2013 before Judge Freda L. Wolfson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 01/25/2013)
01/25/2013		Set Deadlines as to <u>27</u> Consent MOTION for Leave to Appear Pro Hac Vice of <i>Michael Tan</i> . Motion set for 2/19/2013 before Judge Freda L. Wolfson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 01/25/2013)
01/25/2013		Set Deadlines as to <u>28</u> Consent MOTION for Leave to Appear Pro Hac Vice of <i>Dror Ladin</i> . Motion set for 2/19/2013 before Judge Freda L. Wolfson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 01/25/2013)
01/25/2013		Set Deadlines as to <u>29</u> Consent MOTION for Leave to Appear Pro Hac Vice of <i>Ahilan T. Arulanantham</i> . Motion set for 2/19/2013 before Judge Freda L. Wolfson.

		The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 01/25/2013)
01/25/2013	<u>30</u>	REPLY BRIEF to Opposition to Motion filed by SHELDON FRANCOIS, GARFIELD O. GAYLE, NEVILLE SUKHU re <u>13</u> MOTION to Certify Class (Attachments: # <u>1</u> Declaration of Molly Lauterback, # <u>2</u> Certificate of Service)(LUSTBERG, LAWRENCE) (Entered: 01/25/2013)
01/25/2013	<u>31</u>	RESPONSE re <u>21</u> Answer to Amended Complaint,,,,,. (Attachments: # <u>1</u> Declaration of Molly Lauterback, # <u>2</u> Exhibit A –Gayle Motion To Terminate, # <u>3</u> Exhibit B –Gayle Application for Cancellation of Removal, # <u>4</u> Exhibit C –Gayle Brief in Support of Cancellation of Removal, # <u>5</u> Exhibit D – Gayle Supplemental Brief in Support of Cancellation of Removal, # <u>6</u> Exhibit E – Francois Notice To Appear, # <u>7</u> Exhibit F – Francois Application for Cancellation of Removal, # <u>8</u> Exhibit G – Francois Application for Asylum and Withholding of Removal, # <u>9</u> Exhibit H – Letter from Crystal Souza, FOIA Specialist, # <u>10</u> Exhibit I – FOIA 12-129.mdb Excerpt, # <u>11</u> Exhibit J – FOIA 12-129.mdb Lookup Tables, # <u>12</u> Exhibit K – Fong Deposition Excerpts, # <u>13</u> Exhibit L – OIG Report Excerpts, # <u>14</u> Exhibit M – Markowitz Excerpts, # <u>15</u> Exhibit N – Administrative Office of U.S. Courts Table, # <u>16</u> Declaration of Sarah Gillman, # <u>17</u> Exhibit A – Sukhu Notice To Appear, # <u>18</u> Exhibit B – Sukhu Form I-261, # <u>19</u> Exhibit C – Sukhu Brief in Support of Motion To Terminate, # <u>20</u> Exhibit D – Sukhu Form I-130, # <u>21</u> Exhibit E – Sukhu Form I-485, # <u>22</u> Exhibit F – Sukhu Form I-601, # <u>23</u> Exhibit G –Sukhu Form I-130 Approval Notice, # <u>24</u> Declaration of Neville Sukhu, # <u>25</u> Declaration of Mathrani Sukhu, # <u>26</u> Declaration of Malisa Sukhu, # <u>27</u> Declaration of Sheldon Felix Francois, # <u>28</u> Declaration of Allister Francois, # <u>29</u> Declaration of Andrea Dormeus, # <u>30</u> Declaration of Garfield Gayle, # <u>31</u> Certificate of Service)(LUSTBERG, LAWRENCE) (Entered: 01/25/2013)
02/13/2013	<u>32</u>	Letter from Lawrence S. Lustberg requesting oral argument. (LUSTBERG, LAWRENCE) (Entered: 02/13/2013)
03/15/2013	<u>33</u>	OPINION filed. Signed by Judge Freda L. Wolfson on 3/15/2013. (mmh) (Entered: 03/15/2013)
03/15/2013	<u>34</u>	ORDER that Petitioner's Petition for Writ of Habeas Corpus is GRANTED; that an Immigration Judge provide Petitioner with an individualized bond hearing, pursuant to 8 U.S.C. § 1226, within ten (10) days of the date of this Order. Signed by Judge Freda L. Wolfson on 3/15/2013. (mmh) (Entered: 03/15/2013)