



errors in transcript of case now on appeal to BIA

4 messages

Virginia Raymond <virginiaraymond@austin.rr.com>
To: KARNES PRO BONO <karnesprobono@akingump.com>
Cc: Victoria Rossi <vicrossi@gmail.com>

Tue, Jun 23, 2015 at 5:26 PM

Hello friends,

I'm just now reading the transcript (that arrived yesterday) of a merits hearing that we lost. Thus far I have come across two errors reversing the meaning of what someone said.

ERROR ONE:

..... the transcript has Judge Martinez saying, "...I would have granted..." when he clearly told me "...I would not have granted it but..." (a motion for me to be allowed to take my client to San Antonio so that she could show him the scars inflicted on her by the persecutor)

(This may be harmless b/c the decision did not turn on credibility of my client, or what the persecutor did to my client, but on the issues of

- a) reasonable relocation within her very large country, and
- b) whether the persecution was based on her imputed political opinion, or whether, as Judge M decided, the perp was not a vengeful, violent man with a personal grudge

and

ERROR TWO:

when the ICE deportation officer entering, the transcript has him saying,

"...I am not Officer Fernandez"

when he WAS officer Fernandez and said so....
(the issue here is intimidation by deportation officer)

QUESTION TO Y'ALL

What do I do? Ask BIA to listen to the tape its own BIA-self?

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Jackie Watson <jackie@tomesparza.com>

Tue, Jun 23, 2015 at 5:53 PM

To: Virginia Raymond <virginiaraymond@austin.rr.com>

Cc: KARNES PRO BONO <karnesprobono@akingump.com>, Victoria Rossi <vicrossi@gmail.com>

See the BIA practice manual at Ch. 4.2(f)(iii). You can file a Request to Correct the Transcript, but it won't toll any briefing due date. And/or you can bring up the parts of the transcript in your brief that are incorrect and argue how they prejudice the case. The clerk working on the case probably will review the DAR if you bring it up in the brief. Or maybe I'm naive. Best, Jackie

Jacqueline L. Watson, Esq.

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IMMIGRATION AND NATIONALITY LAW

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Virginia Raymond <virginiaraymond@austin.rr.com>

Tue, Jun 23, 2015 at 6:04 PM

To: Jackie Watson <jackie@tomesparza.com>

This is SO helpful, Jackie. Thank you!!!

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Jackie Watson <jackie@tomesparza.com>
To: Virginia Raymond <virginiaraymond@austin.rr.com>

Tue, Jun 23, 2015 at 6:05 PM

Anytime!

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