**NOTICE OF NONCOMPLIANCE**

*J.O.P. v. D.H.S. et al.*

District of Maryland

Civil Action No. 8:19-CV-01944-SAG

**Instructions**

*Individuals who are members of the class in* J.O.P. v. DHS *(or were members of the class until U.S. Citizenship and Immigration Services (USCIS) granted them asylum) should use this form to notify Class Counsel of noncompliance with the* [*Settlement Agreement*](https://nipnlg.org/sites/default/files/2024-07/2024-JOP-settlement-agreement.pdf) *(that is, possible violations of the Settlement Agreement). Check all boxes that apply and respond to the prompts as completely as possible. Email the completed form and supporting documents to Class Counsel at* *DG-JOPClassCounsel@goodwinlaw.com**. If you have a legal representative, your legal representative can email the form and documents on your behalf.*

**Part A: Basic Information**

1. First name: [ ]

2. Middle name (if any): [ ]

3. Last name(s): [ ]

4. Alien registration number (A number): [ ]

5. Date of birth: [ ]

6. Country of nationality or citizenship: [ ]

7. I am/was a member of the *J.O.P.* class because, on or before February 24, 2025, (1) I was determined to be an “unaccompanied alien child” (UAC); (2) I filed an asylum application that is or was pending with USCIS; (3) USCIS has not adjudicated my asylum application on the merits; and (4) on the date I filed my asylum application with USCIS:

*Check one or both, as applicable.*

* 7.a I was 18 years old or older.
* 7.b I had a parent or legal guardian in the United States who was available to provide care and physical custody.

8. Date I filed my asylum application with USCIS: [ ]

9. Asylum application receipt number, if known: [ ]

10. Asylum office where the application is or was pending, if known: [ ]

11. Date my asylum application was granted by USCIS, if applicable: [ ]

*Attach a copy of your asylum application Acknowledgement of Receipt, if you have one; if you do not have a receipt, attach a copy of the proof of delivery to USCIS.*

*Consult the Executive Office for Immigration Review (EOIR) at* [*https://acis.eoir.justice.gov/en/*](https://acis.eoir.justice.gov/en/) *or 1-800-898-7180 (TDD 800-828-1120) and then check and complete all that apply.*

* 12. I have never been in removal proceedings in immigration court.
* 13. I am or I was in removal proceedings in the following immigration court location: [ ]
* 14. The date of my next hearing in immigration court is: [ ]
* 15. The type of hearing is (*check one*):
	+ - 15.a Master
		- 15.b Individual
* 16. EOIR administratively closed/placed on the status docket/took off the docket my removal proceedings on: [ ]
* 17. EOIR terminated or dismissed my removal proceedings on: [ ]
* 18. EOIR issued a removal order against me on: [ ]

*Attach a copy of the most recent order or hearing notice in your removal case, if you have one.*

19. I appealed my removal order to [ ]  19.a the Board of Immigration Appeals and/or [ ]  19.b a U.S. Court of Appeals. *Provide information on the status of the appeal(s) in* ***Part E****.*

20. [ ]  I am [ ]  I am not facing imminent harm connected to noncompliance with the Settlement Agreement. *If you are facing imminent harm, explain the feared harm in* ***Part E****.*

**Part B: Noncompliance**

I allege the following noncompliance with the Settlement Agreement in my case:

*Check all that apply and provide the described documentation if you have it.*

* 1. USCIS rejected jurisdiction over my asylum claim in violation of Paragraphs III.B and/or III.C or III.D. *Attach a copy of the USCIS jurisdictional rejection notice, such as a Notice of Lack of Jurisdiction.*
* 2. USCIS applied the one-year deadline to my asylum application (in violation of Paragraph III.B). *Attach a copy of the document reflecting this decision, such as a UAC Decision Notice for Non-Eligibility.*
* 3. USCIS failed to follow the required procedures when and/or after it rejected jurisdiction over my asylum claim (in violation of Subparagraph III.C.2). *Attach a copy of the USCIS jurisdictional rejection notice, such as a Notice of Lack of Jurisdiction, and any rebuttal information you submitted to USCIS.*
* 4. USCIS failed to timely retract my jurisdictional rejection (in violation of Subparagraph III.E.1 or III.E.2). *Attach a copy of the USCIS jurisdictional rejection notice, such as a Notice Regarding USCIS Jurisdiction.*
* 5. USCIS failed to timely provide me with a notice regarding review of my jurisdictional rejection (in violation of Subparagraph III.E.3). *Attach a copy of the USCIS jurisdictional rejection notice or a Notice of Re-Examination of Jurisdiction, if any.*
* 6. USCIS failed to timely provide me with a notice that they released the hold in my case (in violation of Paragraph III.F). *Attach a copy of any correspondence from USCIS regarding your asylum application or a Notice of Release of Hold, if any.*
* 7. The government attorney (OPLA) took the position in my removal proceedings that USCIS does not have initial jurisdiction over my asylum application (in violation of Paragraph III.H). *Attach OPLA’s written submissions, if any, or describe any oral opposition in* ***Part E****.*
* 8. OPLA opposed my motion for a continuance, administrative closure, or other postponement or termination or dismissal of my removal proceedings (in violation of Paragraph III.H). *Attach OPLA’s written submissions, if any, or describe any oral opposition in* ***Part E****.*
* 9. ICE has executed, or is taking steps to execute, my final removal order even though my asylum application remains pending with USCIS (in violation of Paragraph III.I). *Attach relevant documentation, if any, or describe ICE’s actions in* ***Part E.***
* 10. After USCIS granted me asylum, OPLA based its opposition to my motion to reopen removal proceedings on the position that USCIS did not have initial jurisdiction over my asylum application (in violation of Subparagraph III.J.1). *Attach OPLA’s written submissions, if any, or describe any oral opposition in* ***Part E****.*
* 11. After USCIS granted me asylum, OPLA based its opposition to my motion to terminate or dismiss removal proceedings on the position that USCIS did not have initial jurisdiction over my asylum application (in violation of Subparagraph III.J.2). *Attach OPLA’s written submissions, if any, or describe any oral opposition in* ***Part E****.*
* 12. OPLA refused to accept my evidence of class membership (in violation of Paragraph III.K). *Attach OPLA’s written notice, if any, or describe any oral statements in* ***Part E****.*

*Provide basic details regarding the noncompliance, including relevant dates and any attempts you made to resolve the issue with the agency, in* ***Part E****.*

**Part C: Contact Information & Legal Representative Verification**

1. I would like Defendants and Class Counsel to communicate about this noncompliance with:

* 1.a My legal representative only. *If you check this box, your legal representative should complete sections 3 and 4 below and submit a properly executed Form G-28 with this notice.*
* 1.b My legal representative and me. *If you check this box, you and your legal representative should complete sections 2, 3, and 4 below and your representative should submit a properly executed Form G-28 with this notice.*
* 1.c Me only. *If you check this box, you should complete section 2 below.*

2. Contact information for me

2.a Mailing address: [ ]

2.b Telephone number: [ ]

2.c Email address: [ ]

2.d The best way to reach me is: [ ]

USCIS has informed Class Counsel that it will only contact you using the information that it has on record with your Form I-589. If you need to update your address with USCIS, please follow the current change of address procedures found on the USCIS website (https://www.uscis.gov).

3. Contact information for my legal representative (if any)

3.a Name: [ ]

3.b Mailing address: [ ]

3.c Telephone number: [ ]

3.d Email address: [ ]

4. Legal representative verification

I affirm that I represent the asylum applicant described in this form. I previously [ ]  did [ ]  did not represent the applicant before USCIS on their asylum claim. I previously [ ]  did [ ]  did not represent the applicant in their removal proceedings before EOIR.

4.a Signature: [ ]

4.b Name: [ ]

4.c Date: [ ]

**Part D: Waiver and Signature**

*Complete section 1 below. If you are under age 18, your parent or legal guardian should complete section 2 below. If you used the services of an interpreter to complete this form, the interpreter should complete section 4 below. Complete section 3 below if you would like to authorize DHS to share your confidential information with Class Counsel and to authorize Class Counsel to communicate about your case with DHS.*

1. **Affirmation and signature of asylum applicant.** I declare under penalty of perjury that the foregoing is true and correct.

1.a Signature: [ ]

1.b Name: [ ]

1.c Date: [ ]

2. Parent or legal guardian authorization if you are under 18

2.a Signature: [ ]

2.b Name: [ ]

2.c Date: [ ]

3. **Optional Waiver of Confidentiality:** I understand that with certain exceptions I have the right not to have the contents of my asylum application and information pertaining to it disclosed to a third party. I am knowingly and voluntarily waiving those rights for the limited purpose of consenting to Defendants’ disclosure of this otherwise protected information to Class Counsel and the federal district court in this case. I also authorize Class Counsel to share information about my cases with Defendants as part of Class Counsels’ efforts on my behalf. I understand that Class Counsel and Defendants agree to be bound by the terms of the protective order in this case when handling this confidential information, including in any filings with the federal district court. I further understand that confidentiality under 8 C.F.R. 208.6 in all other respects regarding my asylum application and interview is still in effect.

I hereby (select one):

[ ] authorize Defendants to share confidential information about my case with Class Counsel, and I authorize Class Counsel to communicate with Defendants about my case.

[ ] do not authorize Defendants and Class Counsel to communicate or exchange confidential information about my case.

1.a Signature: [ ]

1.b Name: [ ]

1.c Date: [ ]

4. Interpreter certification

I certify that I am qualified to act as an interpreter from English to [other language] and from [other language] to English, and that I have read the above statements to the asylum applicant and/or their parent or legal guardian and they stated that they understood.

I declare under penalty of perjury that the foregoing is true and correct.

3.a Signature: [ ]

3.b Name: [ ]

3.c Date: [ ]

**Part E: Additional Information**

*If you need extra space to provide any information requested above, use the space below and attach additional sheets as needed. Be sure to identify the part number and item number to which the piece of information refers.*