

**Santanna Law Offices, PC.
Natalia Vieira Santanna
P.O BOX 7528
SBN#337502
Oakland, CA 94601
(510) 922-0154**

Non-Detained

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
100 Montgomery ST., Suite 800
San Francisco, CA 94104**

In the Matter of)
Jose Naen Romero Ponce)
In Removal Proceedings)
_____)

File No. A- 244-443-536

Immigration Judge: Schulz, Karen W.

Next Hearing: May 27, 2026 at 1:30PM.

RESPONDENT'S WRITTEN PLEADINGS

**UNITED STATES DEPARTMENT OF JUSTICE
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COMES NOW, Otavio Silva, counsel for the above-referenced respondent, and makes the following representation:

1. The Respondent concedes proper service of the Notice to Appear, dated March 16, 2024.
2. I have explained to the respondent:
 - a. The rights set forth in 8 C.F.R. § 1240.10(a);
 - b. The consequences of failing to appear in court as set forth in INA § 240(b)(5);
 - c. The limitation on discretionary relief for failure to appear is set forth in INA § 240(b)(7);
 - d. The consequences of knowingly filing or making a frivolous application as set forth in INA § 208(d)(6);
 - e. The requirement to notify the court within five days of any change of address or telephone number, using Form EOIR-33/IC pursuant to 8 C.F.R. § 1003.15(d)
3. The Respondent admits the charge of removability under **212(a)(7)(A)(i)(I)** of the Immigration and Nationality Act (INA), as amended, in that the Respondent is an immigrant who, at the time of application for admission into the United States, was not in possession of a valid unexpired

immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.

4. The Respondent admits the stipulated allegations 1 through 5 in the Notice to Appear, corresponding to:

- a) The Respondent is not a citizen or national of the United States;
- b) The Respondent is a native of Honduras and a citizen of Honduras;
- c) On or about March 16, 2024, the Respondent applied for admission into the United States of America at the Nogales, Arizona Port of Entry;
- d) The Respondent is an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document as required by the Immigration and Nationality Act;
- e) On March 16, 2024, the Respondent was paroled into the United States of America pursuant to Section 212(d)(5) of the Immigration and Nationality Act.

5. The Respondent concedes the charge of removability.

6. In the event of removal, the Respondent declines to designate a country of removal. The Respondent will be applying for the following forms of relief from removal:

- a) Asylum, Withholding of Removal, and protection under the Convention Against Torture: A Form I-589 has already been filed and is part of the Respondent's record;
- b) Any other relief for which the Respondent may be eligible.

7. If background and security investigation is required, the Respondent will comply with instructions to be received by the DHS. I will explain the biometric instructions to the Respondent. In addition, I will explain to the Respondent that, under 8 C.F.R. § 1003.47(d), failure to provide biometrics or other biographical information within the time allowed will constitute abandonment of the application unless the Respondent demonstrates that such failure was the result of good cause.

8. The Respondent estimates that the individual merits hearing will take approximately three (3) hours. Accordingly, he respectfully requests that the Court reserve sufficient time for the conduct of the hearing.

9. The Respondent speaks Spanish as his first language. Therefore, the Respondent respectfully requests a Honduran Spanish interpreter for future hearings.

10. Based on the foregoing, counsel respectfully requests that the Court accept these Written Pleadings.

Respectfully,

Natalia Vieira Santanna (Bar N. 337502)
Attorney at Law
P.O. Box 7528
Oakland, CA 94601
(510) 922-0154
Counsel for Respondent

Exhibit list

Exhibits:

Pages:

Exhibit 1

Respondent's Pleading Declaration with English
Translation

1-3

Exhibit 1

RESPONDENT'S PLEADING DECLARATION

I, Jose Naen Romero Ponce (A- 244 443 536), declare, under penalty of perjury, that I am a native of Honduras and my native language is Spanish. I am not fluent in English and cannot fully and adequately understand communication in the language.

I, Jose Naen Romero Ponce, have been advised of my rights in these proceedings by my attorney and representative. I understand those rights. I waive a further explanation of those rights by this court.

I have been advised by my attorney and representative of the consequences of failing to appear for a hearing. I have also been advised by my attorney of the consequences of failing to appear for a scheduled date of departure or deportation. I understand those consequences.

I have been advised by my attorney and representative of the consequences of knowingly filing a frivolous asylum application. I understand those consequences.

I have been advised by my attorney and representative of the consequences of failing to follow the DHS biometrics instructions within the time allowed. I understand those consequences.

I understand that if my mailing address changes, I must notify the court within 5 days of such change by completing an Alien's Change of Address Form (Form EOIR-33/IC) and filing it with this court.

Finally, my attorney or representative has explained to me what this Written Pleading says. I understand it, I agree with it, and I request that the court accept it as my pleading.

/ SIGNATURE/

Date: 03/17/2026

JOSE NAEN ROMERO PONCE

I, André Vinicius Inacio Penna Mello, telephone number 415 425-2508, address P.O. Box 90487, San Diego, CA 92169, certify that the professional translation of this document from Honduran Spanish to English has been performed by myself, a qualified translator fluent in both languages, and that the following is an accurate and complete translation of the document.



Date: March, 17, 2026

ANDRÉ VINICIUS INACIO PENNA MELLO

DECLARACIÓN DE ALEGATOS FINALES

Yo, Jose Naen Romero Ponce (A- 244 443 536), declaro, bajo pena de perjurio, que soy nativo de Honduras y mi idioma nativo es el español. No soy fluido en inglés y no puedo entender la comunicación en el idioma de forma amplia y adecuada.

Yo, Jose Naen Romero Ponce, fui informado sobre mis derechos en este proceso por mi abogada y representante. Yo entiendo esos derechos. Renuncio a una explicación adicional de esos derechos por este tribunal.

Fui informado por mi abogada y representante sobre las consecuencias de no comparecer a una audiencia. También fui informado por mi abogada sobre las consecuencias de no comparecer a una fecha programada de partida o deportación. Yo entiendo esas consecuencias.

Fui informado por mi abogada y representante sobre las consecuencias de presentar conscientemente una solicitud de asilo frívola. Yo entiendo esas consecuencias.

Fui informado por mi abogada y representante sobre las consecuencias de no seguir las instrucciones biométricas del DHS dentro del plazo permitido. Yo entiendo esas consecuencias.

Entiendo que, si mi dirección de correspondencia cambia, debo notificar al tribunal dentro de 5 días después de ese cambio, llenando un Formulario de Cambio de Dirección de Extranjero (Formulario EOIR-33/IC) y presentándolo ante este tribunal.

Finalmente, mi abogada y representante me explicó lo que esta Declaración Escrita dice. Yo la entiendo, estoy de acuerdo y solicito que el tribunal acepte mi declaración.

Jose Romero
JOSE NAEN ROMERO PONCE

Data: 17/03/2026

Proof of Service

On this date, I, Natalia Vieira Santanna, served a copy of the following documents:

RESPONDENT'S WRITTEN PLEADINGS

To the following:

Office Location:	Mailing Address:
Office of the Principal Legal Advisor Department of Homeland Security 100 Montgomery Street, Suite 200 San Francisco, CA 94104	US Immigration and Customs Enforcement US Department of Homeland Security Office of the Chief Counsel P.O. Box 26449 San Francisco, CA 94126-644

by:

- Through the EOIR Courts and Appeals System (ECAS), which will automatically send service notification to both parties that a new document has been filed.

Natalia Vieira Santanna (Bar N. 337502)
Attorney at Law
P.O. Box 7528
Oakland, CA 94601
(510) 922-0154
Counsel for Respondent