

Kaaren L. Barr, Esquire  
Law Offices of Kaaren L. Barr  
811 First Avenue #200  
Seattle, WA 98104  
(206) 919-1856  
(206) 629-7665 FAX  
[kaaren@kaarenbarr.com](mailto:kaaren@kaarenbarr.com)

FILE

SCANNED INTO  
5/4/09  
SEA  
(b)(2), (b)(7)e  
(k)(2), (b)(6), (b)(7)c

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
Seattle, Washington

In the Matter of: )

Turgut TARHAN, )

In Removal Proceedings. )

File No: A088-737-523

Immigration Judge: Kenneth Josephson

Next Hearing: MCH 04/28/2009 10 AM

**COUNSEL'S REQUEST TO APPEAR BY TELEPHONE  
AT MASTER CALENDAR HEARING**

COMES NOW respondent's counsel and respectfully requests that she be allowed to appear by telephone at the master calendar hearing on April 28, 2009, at 10 a.m. on the grounds and for the reasons that counsel will be in her office in Emmett, Idaho.

Counsel will be available at 206-919-1856 or 208-365-4355.

If respondent has hired new counsel, the undersigned has no opposition and accordingly withdraws this request for appearance by telephone.

DATED this 23<sup>rd</sup> day of April, 2009.



KAAREN L. BARR  
Attorney for the Respondent

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing COUNSEL'S REQUEST FOR APPEARANCE BY TELEPHONE was hand-delivered on the 23<sup>rd</sup> day of April, 2009, addressed as follows:

Office of the Chief Counsel  
Immigration & Customs Enforcement  
1000 Second Avenue (2),(b)(6),(b)(7)c  
Seattle, WA 98104



Kaaren L. Barr

FILE

SCANNED INTO (2),(b)(7)e  
3/4/09 SEA (k)(2),(b)(6),(b)(7)c

NON-DETAINED

Kaaren L. Barr, Esquire  
Law Offices of Kaaren L. Barr  
811 First Avenue #200  
Seattle, WA 98104  
(206) 919-1856  
(206) 629-7665 FAX  
[kaaren@kaarenbarr.com](mailto:kaaren@kaarenbarr.com)

REC'D ICE LITIGATION SEC  
2009 MAY -4 PM 3:42  
SEATTLE, WA

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
SEATTLE, WASHINGTON

In the Matter of: )  
)  
)  
Turgut TARHAN, )  
)  
)  
In Removal Proceedings. )  
)

File No: A 088-737-523

Immigration Judge: Kenneth Josephson

Next Hearing: MCH 05/05/2009 1:00 PM

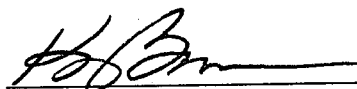
COUNSEL'S  
REQUEST FOR APPEARANCE BY TELEPHONE

COMES NOW counsel for the respondent and requests that she be allowed to appear by telephone from her office in Emmett, Idaho for the Master Calendar Hearing in this case on May 5, 2009, at 1 PM.

It is believed that the respondent will have new counsel, who will appear with him at the master calendar hearing on May 5, 2009, and counsel has no objection to a substitution of counsel.

Counsel will be available at (206) 919-1856.

DATED this 4<sup>th</sup> day of May, 2009.



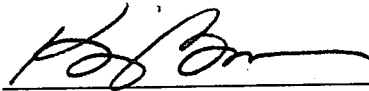
---

KAAREN L. BARR  
Attorney for the Respondent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing COUNSEL'S REQUEST FOR APPEARANCE BY TELEPHONE was hand delivered on the 4<sup>th</sup> day of May, 2009, addressed as follows:

Office of the Chief Counsel  
Immigration & Customs Enforcement  
1000 Second Avenue (b)(2), (b)(6), (b)(7)c  
Seattle, WA 98104



Kaaren L. Barr






**U.S. DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION AND CUSTOMS ENFORCEMENT  
CERTIFICATION**

I HEREBY CERTIFY that the annexed documents are the originals or copies thereof from the records of the Department of Homeland Security, or its predecessor the Immigration and Naturalization Service, relating to the person described in the name line of the documents and whose file number is listed therein and that the Attorney General or the Secretary of the Department of Homeland Security, by virtue of Section 103 of the Immigration and Nationality Act, is authorized to disclose the information contained in the documents to the person named in the documents.

(k)(2),(b)(6),(b)(7)c

Assistant Chief Counsel  
Department of Homeland Security  
Seattle, Washington

Family Name (CAPS) <b>TARHAN, Turgut</b>		First	Middle	Sex <b>M</b>	Hair <b>BRO</b>	Eyes <b>BRO</b>	Complexion <b>MED</b>
Country of Citizenship <b>TURKEY</b>	Passport Number and Country of Issue <b>A088737523</b>	Case No: <b>(k)(2),(b)(7)e</b>		Height <b>65</b>	Weight <b>125</b>	Occupation <b>STUDENT</b>	
U.S. Address <b>1623 EAST J STREET SUITE 5 TACOMA, WASHINGTON, 98421,</b>				Scars and Marks <b>See Narrative</b>			
Date, Place, Time, and Manner of Last Entry <b>7/3/2003, Unknown Time, SET, F1</b>			Passenger Boarded at	F.B.I. Number <b>(k)(2),(b)(7)e</b>	<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated		
Number, Street, City, Province (State) and Country of Permanent Residence <b>BALTALIMANI CAD. HISARPALAS APT# 31/10 RUMELIHISARI ISTANBUL, TURKEY</b>				Method of Location/Apprehension <b>(k)(2),(b)(7)e</b>			
Date of Birth <b>08/27/1984</b>	Age: <b>24</b>	Date of Action <b>02/17/2009</b>	Location Code <b>SEA/SEA</b>	At/Neat <b>SEATTLE, WA</b>	Date/Hour <b>02/17/2009</b>		
City, Province (State) and Country of Birth <b>TURKEY</b>		AR <input checked="" type="checkbox"/>	Form: (Type and No.) <input type="checkbox"/> Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>	do <b>(k)(2),(b)(6),(b)(7)c</b>			
NIV Issuing Post and NIV Number		Social Security Account Name		Status at Entry <b>Student</b>		Status When Found <b>IN INSTITUTION</b>	
Date Visa Issued		Social Security Number		Length of Time Illegally in U.S. <b>1 MONTH TO 1 YEAR</b>			
Immigration Record <b>POSITIVE - See Narrative</b>			Criminal Record <b>See Narrative</b>				
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)				Number and Nationality of Minor Children <b>NONE</b>			
Father's Name, Nationality, and Address, if Known <b>See Father info in Narrative</b>			Mother's Present and Maiden Names, Nationality, and Address, if Known <b>Nationality: TURKEY (k)(2),(b)(6),(b)(7)c ISTANBUL, TURKEY</b>				
Monies Due/Property in U.S. Not in Immediate Possession <b>None Claimed</b>		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks <b>See Narrative (k)(2),(b)(7)e</b>	Change Code Word(s) <b>(k)(2),(b)(7)e</b>			
Name and Address of (Last) Current U.S. Employer		Type of Employment	Salary	Employed from to <b>Hi</b>			
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) <b>FINS: 1059674598</b>							
		<b>Left Index fingerprint</b>		<b>Right Index fingerprint</b>			
							
<b>SCARS, MARKS, AND TATTOOS</b>							
-----							
<b>SCAR CHEST - BURN</b>							
<b>SCAR HAND, RIGHT - INDEX FINGER</b>							
<b>FATHER NAME &amp; ADDRESS</b>							
... (CONTINUED ON I-831)							
Alien has been advised of communication privileges <b>2/17/09 (k)(2),(b)(6),(b)(7)c</b> (Date/Initials)				_____ Officer)			
Distribution:		Received: (Subject and Documents) (Report of Interview)					
file	Officer: <b>(k)(2),(b)(6),(b)(7)c</b>						
stats	on <b>February 17, 2009 at 18</b>						
in	Disposition: <b>Warrant of Arrest/</b>						
	<b>(k)(2),(b)(6),(b)(7)c</b>						
	Examine Officer: <b>(k)(2),(b)(6),(b)(7)c</b>						



*Handwritten signature*

*to R/E J  
2/27/09 (k)(2),(b)(6),(b)(7)c*

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b>	Date <b>02/17/2009</b>
Event No: (k)(2),(b)(7)e		

Nationality: **TURKEY TARHAN, Tugrul**  
**ISTANBUL, TURKEY**

**RECORDS CHECKED**

(k)(2),(b)(7)e

**Record of Deportable/Excludable Alien:**

On 02/17/2009, (k)(2),(b)(6),(b)(7)e encountered subject **TARHAN, Turgut** DOB 08/27/1984, while performing CAP duties at the King County Jail, Seattle, WA.

During interview, subject **TARHAN** freely admitted to being a citizen and national of Turkey. Subject stated that he last entered the United States on or about July 3, 2003 at SET POB, Seattle, WA with a valid F1 visa.

Subject states that he is not married and has no children. Subject has a sister (k)(2),(b)(6),(b)(7)c residing in the United States at (k)(2),(b)(6),(b)(7)c Lynnwood, WA. Subject states that he was not employed at the time of his arrest.

**Immigration History:**

A review of available service databases shows the following immigration history:

- 09/05/2002 - Subject entered the United States as an F1 student and departed on 06/13/2003.
- 07/03/2003 - Subject entered the United States as an F1 student (I-94 # 592745744 10)
- 12/08/2008 - Subjects F1 status terminated in SEVIS due to Failure to Enroll.

**Criminal History:**

- 06/03/2007 - Subject was being held at the King County Jail, Seattle, WA for an arrest for Rape 2.
- 06/10/2004 - Subject arrested by Seattle PD on the charge of Harassment. No charges filed.
- 08/01/2008 - Subject arrested by Seattle, PD on the charge of Rape 2. Convicted of Rape 3 and sentenced to 10 months and 36 to 48 months of community custody.
- 09/04/2008 - Subject filed an appeal of his conviction in King County Superior Court.

**Disposition:**

Subject claims no health problems or injuries. Subject is missing the fingernail on his right, ... (CONTINUED ON NEXT PAGE)

Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>
------------------------------------	---

2

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b>	Date <b>02/17/2009</b>
Event No: (k)(2),(b)(7)e		

middle finger from an old injury.

Subject expressed no fear of being returned to his country of origin.

Subject was advised of his rights as per form I-826 attached, was provided with a list of free legal service providers and explained his consular notification rights as prescribed by 8 CFR 236.1 (e).

Subject entered the United States with a valid F1 nonimmigrant visa on September 22, 2004. On December, 08, 2008 subject's status was terminated in SEVIS due to Failure to Enroll. In such, subject is in violation of section 237 (a) (1) (C) (i) of the INA as amended.

Subject processed as an NTA.

Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>
------------------------------------	---

3



Department of Homeland Security  
U.S. Immigration and Customs Enforcement  
Detention and Removal Operations  
630 Sansome Street, Room (b)(6), (b)(7)c  
San Francisco, CA 94111

Date: 02-27-09

From: \_\_\_\_\_

Pages: 4 pgs.  
(Including Cover Sheet)

Phone: (415) 844- (k)(2), (b)(6), (b)(7)c

Fax: 415 844- (k)(2), (b)(6), (b)(7)c  
415 844- (k)(2), (b)(6), (b)(7)c

To: Bond Verification

Phone: (253) 779- (k)(2), (b)(6), (b)(7)c

Fax: 253-779- (k)(2), (b)(6), (b)(7)c

Urgent  For Review  Please Reply  For Your Info  Action

Message: ~~A 89-625-447~~ LM  
A 88-737-523 III  
~~A 88-737-527~~ L14b

Thank You

# Pre Bond Check List

Date 2/27/2009

Payment Location SFR

Alien Registration Number A 88737523

Alien Name Tarhan, Turgut

Alien Date of Birth 8/27/1984

FBI# (k)(2),(b)(7)e

Wants/Warrants check: GOOD TO GO  
NO WAY

Immigration Bond

Power No. (k)(2),(b)(7)e (Bonded Alien) File No. A88-737-523  
 Bond Receipt No. (k)(2),(b)(6),(b)(7)c

A. Name of Obligor: ACCREDITED SURETY & CASUALTY COMPANY  
 Street address of Obligor: 4798 NEW BROAD STREET, SUITE 200  
 City, State and Zip Code: ORLANDO, FL 32814  
 Telephone: (559)-855-6600  
 Name of Agent/Co-Obligor (if any-Surety Bonds only): U.S. IMMIGRATION BONDS  
 Address (if different from that of Obligor): 74-930 COUNTRY CLUB DR.SUITE 540-182 PALM DESERT, CA 92260  
 Telephone: (760)-346-7146  
 Address to use for notice purposes:  Obligor  Agent  Both  
 If this is executed by a surety company the rate of premium is: 10.00 and the amount of premium is: 3,000.00  
 The name and address of the person who executed a written instrument with the surety company requesting it to post bond is  
 (k)(2),(b)(6),(b)(7)c LYNNWOOD. WA 98036 - (206) 909- (b)(6),(b)(7)c

B. Information about alien for whom bond is furnished: Name: TARHAN, TURGUT  
 Current Location (i.e., where detained): TACOMA, WA  
 Date and country of birth: 8/27/1984 - ISTANBUL, TURKEY Nationality: TURKISH  
 Date, port and means of arrival in the United States: 09/03/2003 - SEATTLE WA - STUDENT  
 Alien to reside at: 2308-188 PL.SW. LYNNWOOD.WA 98036 -  
 Telephone number at alien's residence: 206-909-8036

C. In consideration of the facts recited in paragraph or paragraphs herein numbered (G2) and captioned BOND  
 CONDITIONED FOR THE DELIVERY OF ALIEN (and in any rider  
 or riders lettered ----- and captioned -----, the above named  
 obligor and the agent acting on its behalf (if any), by subscribing hereto, hereby declare that they are firmly bound unto  
 the United States in the sum of THIRTY THOUSAND NO/100'S--- dollars (\$ 30,000.00 ) unless the guarantee  
 of the bond is that the alien shall not become a public charge, the obligor, and the agent acting on its behalf (if any), declare  
 themselves bound in such amount or successive amounts as are prescribed in paragraph (G-2) herein as liquidated damages  
 and not as penalty, which sum is to be paid to the United States immediately upon failure to comply with the terms set forth in  
 any such paragraph or rider. The obligor and agent further agree that any notice to him/her in connection with this bond may  
 be accomplished by mail, directed to him/her at the above address. The obligor acknowledges receipt of a copy of the  
 executed bond and any attached rider or riders specified above.

D. Sign (k)(2),(b)(6),(b)(7)c 03/2009 (Mor) (k)(2),(b)(6),(b)(7)c  
 E. Bond approved and on 03/02/2009 (k)(2),(b)(6),(b)(7)c  
 (Day) (District Director)

F. Taxpayer Identification Number 59-1362150  
 Taxpayer Identification Number 94-3038145  
 Taxpayer Identification Number  
 with a federal government agency to furnish that agency such person's  
 use such number for purposes of collecting and reporting information  
 nship with the Government. The obligor, surety, or agent must  
 Failure to furnish the TIN will result in a refusal of the bond.

This copy is to be retained by the obligor.

(Bonded Alien) File No. A88-737-523

Bond Receipt No. (k)(2),(b)(6),(b)(7)c

**H. PLEDGE AND POWER OF ATTORNEY FOR USE WHEN UNITED STATES BONDS OR NOTES ARE DEPOSITED AS SECURITY.**

I hereby pledge the United States Bond/Notes described in the following schedule as security for the performance and fulfillment of the obligations described in paragraph C above in accordance with 6 U.S.C. 15, 31 CFR part 225, and Treasury Department Circular 154. I appoint the Attorney General of the United States as my attorney to collect, sell, assign, and transfer said United States Bond or Note. In the case of any default in performance of conditions herein, my attorney shall have the power to collect without appraisal or valuation notice, and to apply the proceeds to the satisfaction of any damages, demands, or deficiencies arising from such default. I waive my right to redeem this security.

Title of Bond/Notes	Coupons Attached	Face Value	Interest Rate	Serial No.	Interest Dates

(Affix Seal Here  
if Required)

\_\_\_\_\_  
(Signature of Person Pledging Bonds or Notes)

**I. PLEDGE AND POWER OF ATTORNEY FOR USE WHEN CASH IS DEPOSITED AS SECURITY.**

I hereby pledge the amount of \_\_\_\_\_ (\$ \_\_\_\_\_) United States currency as security for the performance and fulfillment of the obligations described in paragraph C above. I appoint the Attorney General of the United States as my attorney to collect or to assign and transfer the said sum of money. I agree that, in case of default in the performance of any of the conditions herein to which I have subscribed, said attorney shall have full power to collect said sum of money or any part thereof or to assign and transfer said sum or any part thereof deemed appropriate by said attorney to the satisfaction of any damages, demands, or deficiencies arising by reason of such default. I further empower said attorney, in the event all the conditions herein to which I have subscribed have been complied with and the bond is canceled, to deliver the said sum of money plus any interest accrued thereon, to me at my risk and expense by such means as said attorney shall select.

(Affix Seal Here  
if Required)

\_\_\_\_\_  
(Signature of Person Pledging Cash)

J. Before me, within the county/city/parish of \_\_\_\_\_ in \_\_\_\_\_, the above named individual personally appeared before us, acknowledges the execution of the foregoing power of attorney, and deposited the security described above. Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

Accredited  
www.accredited-inc.com  
4798 NEW BROAD STREET  
SUITE 200  
ORLANDO, FL 32814  
PHONE: 407.629.2131

**POWER OF ATTORNEY  
FOR U.S. IMMIGRATION BOND**

AGENCY: Immigration Bonds  
DATE: 2.7.09  
POWER NO. (k)(2)(b)

WARNING: THIS DOCUMENT CONTAINS A WATERMARK, UV FIBERS AND MICRO PRINT PROTECTION

KNOW ALL MEN BY THESE PRESENTS: That ACCREDITED SURETY AND CASUALTY COMPANY, INC., has made, constituted and appointed, and by these presents it does make, constitute and appoint HARRY SHAMMAH its true and lawful Attorney-in-Fact for it and in its name, place and stead to execute, seal and deliver for and on its behalf and as its act and deed, as surety, an Immigration Bond on behalf of JARLAN LAZGUT to be given to US Immigration and Naturalization Service

Provided that the authority of such Attorney-in-Fact to bind the Company shall not exceed the Immigration and Naturalization Service records. The said Attorney-in-Fact is hereby authorized to insert in this Power Of Attorney the name of the person on whose behalf this bond was given.

This Power Of Attorney is for use with Federal Immigration Bonds only. Not valid if used in connection with Bail Bonds. This Power void if altered or erased. Void if used with other Powers of this company or in combination with Powers from any other surety company. Void if used to furnish a bond in excess of the stated face amount of this Power, and can only be used once.

The obligation of the company shall not exceed the sum of **FIFTY THOUSAND DOLLARS**

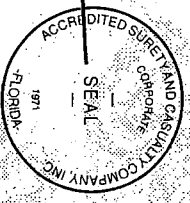
IN WITNESS WHEREOF ACCREDITED SURETY AND CASUALTY COMPANY, INC. has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 03 DAY of 03 MONTH 09 YEAR

Bond Amounts 30,000  
Alien JARLAN LAZGUT

INS. Genar IA LOMA

File # AS 4 331 SPD

City JA  
Executing A (k)(2)(b)(6)(7)



By Deborah Jallad  
Deborah Jallad, President

VOID IF NOT ISSUED BY: **10/28/2009**  
**FOR IMMIGRATION USE ONLY**  
**NOT VALID IF USED IN CRIMINAL COURT**

COPY FOR IMMIGRATION AND NATURALIZATION SERVICE

ACCREDITED SURETY AND CASUALTY COMPANY, INC.  
4798 NEW BROAD STREET  
SUITE 200  
ORLANDO, FL 32814  
PHONE: 407.829.2131  
www.accredited-inc.

**POWER OF ATTORNEY  
FOR U.S. IMMIGRATION BOND**

AGENCY: Immigration Bonds  
DATE: 2.7.09  
POWER NO: (k)(2),(b)(7)

KNOW ALL MEN BY THESE PRESENTS, That ACCREDITED SURETY AND CASUALTY COMPANY, INC., has made, constituted and appointed, and by these presents it does make, constitute and appoint HARRY SWANKHA its true and lawful Attorney-in-Fact for it and in its name, place and stead to execute, seal and deliver for and on its behalf and as its act and deed, as surety, an Immigration Bond on behalf of LARLAN LARZUT to be given to US Immigration and Naturalization Service

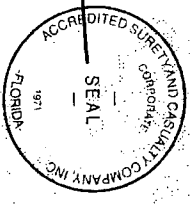
Provided that the authority of such Attorney-in-Fact to bind the Company shall not exceed the Immigration and Naturalization Service records. The said Attorney-in-Fact is hereby authorized to insert in this Power Of Attorney the name of the person on whose behalf this bond was given.

This Power Of Attorney is for use with Federal Immigration Bonds only. Not valid if used in connection with Bail Bonds. This Power void if altered or erased. Void if used with other Powers of this company or in combination with Powers from any other surety company, void if used to furnish a bond in excess of the stated face amount of this Power, and can only be used once.

**The obligation of the company shall not exceed the sum of FIFTY THOUSAND DOLLARS**

IN WITNESS WHEREOF, ACCREDITED SURETY AND CASUALTY COMPANY, INC., has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 03 DAY of 03 MONTH of 09 YEAR

Bond Amount: 50,000  
Alien: LARLAN LARZUT  
INS Center: Orlando  
File #: 09072500  
City: Orlando  
Executing Ag: (k)(2),(b)(6),(b)(7)



By: Deborah Jallad  
Deborah Jallad, President  
VOID IF NOT ISSUED BY: 10/28/2009  
**FOR IMMIGRATION USE ONLY**  
NOT VALID IF USED IN CRIMINAL COURT

COPY FOR IMMIGRATION AND NATURALIZATION SERVICE

Immigration Bond

Power No. (k)(2),(b)(7)e (Bonded Alien) File No. A88-737-523  
 Bond Receipt No. (k)(2),(b)(6),(b)(7)c

A. Name of Obligor: ACCREDITED SURETY & CASUALTY COMPANY  
 Street address of Obligor: 4798 NEW BROAD STREET, SUITE 200  
 City, State and Zip Code: ORLANDO, FL 32814  
 Telephone: (559)-855-6600  
 Name of Agent/Co-Obligor (if any-Surety Bonds only): U.S. IMMIGRATION BONDS  
 Address (if different from that of Obligor): 74-930 COUNTRY CLUB DR.SUITE 540-182 PALM DESERT, CA 92260  
 Telephone: (760)-346-7146  
 Address to use for notice purposes:  Obligor  Agent  Both  
 If this is executed by a surety company the rate of premium is: 10.00 and the amount of premium is: 3,000.00  
 The name and address of the person who executed a written instrument with the surety company requesting it to post bond is  
(k)(2),(b)(6),(b)(7)c LYNNWOOD. WA 98036 - (206) 892-(b)(6),(b)(7)c

B. Information about alien for whom bond is furnished: Name: TARHAN, TURGUT  
 Current Location (i.e., where detained): TACOMA, WA  
 Date and country of birth: 8/27/1984 - ISTANBUL, TURKEY Nationality: TURKISH  
 Date, port and means of arrival in the United States: 09/03/2003 - SEATTLE WA - STUDENT  
 Alien to reside at: 2308-188 PL.SW. LYNNWOOD.WA 98036 -  
 Telephone number at alien's residence: 206-909-8036

C. In consideration of the facts recited in paragraph or paragraphs herein numbered (G2) and captioned BOND  
 CONDITIONED FOR THE DELIVERY OF ALIEN \_\_\_\_\_ (and in any rider  
 or riders lettered \_\_\_\_\_ and captioned \_\_\_\_\_, the above named  
 obligor and the agent acting on its behalf (if any), by subscribing hereto, hereby declare that they are firmly bound unto  
 the United States in the sum of THIRTY THOUSAND NO/100'S--- dollars (\$ 30,000.00 ) unless the guarantee  
 of the bond is that the alien shall not become a public charge, the obligor, and the agent acting on its behalf (if any), declare  
 themselves bound in such amount or successive amounts as are prescribed in paragraph (G-2) herein as liquidated damages  
 and not as penalty, which sum is to be paid to the United States immediately upon failure to comply with the terms set forth in  
 any such paragraph or rider. The obligor and agent further agree that any notice to him/her in connection with this bond may  
 be accomplished by mail, directed to him/her at the above address. The obligor acknowledges receipt of a copy of the  
 executed bond and any attached rider or riders specified above.

D. Signed and sealed this 02 day of 03/2009  
 \_\_\_\_\_ (Mo) \_\_\_\_\_  
(k)(2),(b)(6),(b)(7)c \_\_\_\_\_  
(k)(2),(b)(6),(b)(7)c

E. Bond approved and accepted at SAN FRANCISCO  
 \_\_\_\_\_ (City and State) \_\_\_\_\_ (Day) \_\_\_\_\_ (District Director)

F. Surety Company ACCREDITED SURETY & CASUALTY Taxpayer Identification Number 59-1362150  
 Agent-Bonding Company IMMIGRATION BONDS Taxpayer Identification Number 94-3038145  
 Obligors-Cash/Treasury Bond \_\_\_\_\_ Taxpayer Identification Number \_\_\_\_\_

31 U.S.C. 7701(c)(1) requires each person doing business with a federal government agency to furnish that agency such person's taxpayer identification number. It is the intent of the INS to use such number for purposes of collecting and reporting information on any delinquent accounts arising out of such person's relationship with the Government. The obligor, surety, or agent must furnish its Taxpayer Identification Number (TIN) to INS. Failure to furnish the TIN will result in a refusal of the bond.

This copy is to be retained by the obligor.

Immigration Bond

Power No. (k)(2),(b)(7)e (Bonded Alien) File No. A88-737-523  
 Bond Receipt No. (k)(2),(b)(6),(b)(7)c

A. Name of Obligor: ACCREDITED SURETY & CASUALTY COMPANY  
 Street address of Obligor: 4798 NEW BROAD STREET, SUITE 200  
 City, State and Zip Code: ORLANDO, FL 32814  
 Telephone: (559)-855-6600  
 Name of Agent/Co-Obligor (if any-Surety Bonds only): U.S. IMMIGRATION BONDS  
 Address (if different from that of Obligor): 74-930 COUNTRY CLUB DR. SUITE 540-182 PALM DESERT, CA 92260  
 Telephone: (760)-346-7146  
 Address to use for notice purposes:  Obligor  Agent  Both  
 If this is executed by a surety company the rate of premium is: 10.00 and the amount of premium is: 3,000.00  
 The name and address of the person who executed a written instrument with the surety company requesting it to post bond is  
 (k)(2),(b)(6),(b)(7)c LYNNWOOD. WA 98036 - (206) 909-9090 (k)(2),(b)(6),(b)(7)c

B. Information about alien for whom bond is furnished: Name: TARHAN, TURGUT  
 Current Location (i.e., where detained): TACOMA, WA  
 Date and country of birth: 8/27/1984 - ISTANBUL, TURKEY Nationality: TURKISH  
 Date, port and means of arrival in the United States: 09/03/2003 - SEATTLE WA - STUDENT  
 Alien to reside at: 2308-188 PL. SW. LYNNWOOD. WA 98036 -  
 Telephone number at alien's residence: 206-909-8036

C. In consideration of the facts recited in paragraph or paragraphs herein numbered (G2) and captioned BOND  
 CONDITIONED FOR THE DELIVERY OF ALIEN (and in any rider  
 or riders lettered ----- and captioned -----, the above named  
 obligor and the agent acting on its behalf (if any), by subscribing hereto, hereby declare that they are firmly bound unto  
 the United States in the sum of THIRTY THOUSAND NO/100'S--- dollars (\$ 30,000.00) unless the guarantee  
 of the bond is that the alien shall not become a public charge, the obligor, and the agent acting on its behalf (if any), declare  
 themselves bound in such amount or successive amounts as are prescribed in paragraph (G-2) herein as liquidated damages  
 and not as penalty, which sum is to be paid to the United States immediately upon failure to comply with the terms set forth in  
 any such paragraph or rider. The obligor and agent further agree that any notice to him/her in connection with this bond may  
 be accomplished by mail, directed to him/her at the above address. The obligor acknowledges receipt of a copy of the  
 executed bond and any attached rider or riders specified above.

D. Signed and sealed this 02 day of 03/2009  
 (Month) (k)(2),(b)(6),(b)(7)c  
 (k)(2),(b)(6),(b)(7)c  
 E. Bond (k)(2),(b)(6),(b)(7)c on 03/02/2009 (k)(2),(b)(6),(b)(7)c  
 (City and State) (Day)

F. Surety Company ACCREDITED SURETY & CASUALTY Taxpayer Identification Number 59-1362150  
 Agent-Bonding Company IMMIGRATION BONDS Taxpayer Identification Number 94-3038145  
 Obligors-Cash/Treasury Bond Taxpayer Identification Number \_\_\_\_\_

31 U.S.C. 7701(c)(1) requires each person doing business with a federal government agency to furnish that agency such person's taxpayer identification number. It is the intent of the INS to use such number for purposes of collecting and reporting information on any delinquent accounts arising out of such person's relationship with the Government. The obligor, surety, or agent must furnish its Taxpayer Identification Number (TIN)-to INS. Failure to furnish the TIN will result in a refusal of the bond.

This copy is to be retained by the obligor.

Power No. (k)(2),(b)(7)e (Bonded Alien) File No. A88-737-523  
 Bond Receipt No. (k)(2),(b)(6),(b)(7)c

A. Name of Obligor: ACCREDITED SURETY & CASUALTY COMPANY  
 Street address of Obligor: 4798 NEW BROAD STREET, SUITE 200  
 City, State and Zip Code: ORLANDO, FL 32814  
 Telephone: (559)-855-6600  
 Name of Agent/Co-Obligor (if any-Surety Bonds only): U.S. IMMIGRATION BONDS  
 Address (if different from that of Obligor): 74-930 COUNTRY CLUB DR.SUITE 540-182 PALM DESERT, CA 92260  
 Telephone: (760)-346-7146  
 Address to use for notice purposes:  Obligor  Agent  Both  
 If this is executed by a surety company the rate of premium is: 10.00 and the amount of premium is: 3,000.00  
 The name and address of the person who executed a written instrument with the surety company requesting it to post bond is  
(k)(2),(b)(6),(b)(7)c LYNNWOOD. WA 98036 - (206) ~~902~~ (k)(2),(b)(6),(b)(7)c

B. Information about alien for whom bond is furnished: Name: TARHAN, TURGUT  
 Current Location (i.e., where detained): TACOMA, WA  
 Date and country of birth: 8/27/1984 - ISTANBUL, TURKEY Nationality: TURKISH  
 Date, port and means of arrival in the United States: 09/03/2003 - SEATTLE WA - STUDENT  
 Alien to reside at: 2308-188 PL.SW. LYNNWOOD.WA 98036 -  
 Telephone number at alien's residence: 206-909-8036

C. In consideration of the facts recited in paragraph or paragraphs herein numbered (G2) and captioned BOND CONDITIONED FOR THE DELIVERY OF ALIEN (and in any rider or riders lettered \_\_\_\_\_ and captioned \_\_\_\_\_, the above named obligor and the agent acting on its behalf (if any), by subscribing hereto, hereby declare that they are firmly bound unto the United States in the sum of THIRTY THOUSAND NO/100'S--- dollars (\$ 30,000.00 ) unless the guarantee of the bond is that the alien shall not become a public charge, the obligor, and the agent acting on its behalf (if any), declare themselves bound in such amount or successive amounts as are prescribed in paragraph (G-2) herein as liquidated damages and not as penalty, which sum is to be paid to the United States immediately upon failure to comply with the terms set forth in any such paragraph or rider. The obligor and agent further agree that any notice to him/her in connection with this bond may be accomplished by mail, directed to him/her at the above address. The obligor acknowledges receipt of a copy of the executed bond and any attached rider or riders specified above.

D. Signed and sealed this 02 day of 03/2009  
(k)(2),(b)(6),(b)(7)c (Month/Yea \_\_\_\_\_) (k)(2),(b)(6),(b)(7)c

E. Bond approved and accepted at SAN FRANCISCO (City and State)  
 \_\_\_\_\_ (Day) \_\_\_\_\_ (District Director)

F. Surety Company ACCREDITED SURETY & CASUALTY Taxpayer Identification Number 59-1362150  
 Agent-Bonding Company IMMIGRATION BONDS Taxpayer Identification Number 94-3038145  
 Obligors-Cash/Treasury Bond \_\_\_\_\_ Taxpayer Identification Number \_\_\_\_\_

31 U.S.C. 7701(c)(1) requires each person doing business with a federal government agency to furnish that agency such person's taxpayer identification number. It is the intent of the INS to use such number for purposes of collecting and reporting information on any delinquent accounts arising out of such person's relationship with the Government. The obligor, surety, or agent must furnish its Taxpayer Identification Number (TIN) to INS. Failure to furnish the TIN will result in a refusal of the bond.

This copy is to be retained by Bond Section ACB-FIN.

U.S. IMMIGRATION (HOMELAND SECURITY) BONDS  
74-930 COUNTRY CLUB DR. SUITE 540-182  
PALM DESERT, CA 92260

IMMIGRATION BOND WORK SHEET

NORTH WEST DETENTION CENTER

>PLACE OF CUSTODY: TACOMA, WA HOW LONG: SINCE 2-17-09  
>INS AGENTS NAME: \_\_\_\_\_ PHONE # ( ) \_\_\_\_\_

>ALIENS LAST NAME TAYMAN  
FIRST TAYMAN ~~PERPET~~ MIDDLE \_\_\_\_\_

>COMPLETE ADDRESS: 2308-188th A. SW LYNNWOOD, WA 98036  
PHONE # 206-909-8090

>ALIENS TRANSPORTATION BACK HOME:  AUTO ( ) PLANE ( ) BUS

>ALIEN NUMBER A# 88737523 MUST BE (EIGHT DIGITS)

>BOND AMOUNT \$ 30,000.00

>DATE OF BIRTH 8/27/84 PLACE OF BIRTH: ISTANBUL, TURKEY

>DATE ENTERED USA: 9.3.03 ENTERED AS: STUDENT VISA

>PORT (PLACE) OF ENTRY: SEATTLE, WA

>INDEMNITORS NAME: \_\_\_\_\_ (k)(2),(b)(6),(b)(7)c

>COMPLETE ADDRESS: \_\_\_\_\_ (k)(2),(b)(6),(b)(7)c LYNNWOOD WA 98036  
PHONE # 206-909-8090 (k)(2),(b)(6),(b)(7)c

>COLLATERAL ADDRESS: SAME

>\$ PAID: 298K DATE PURCHASED: 8/12/03 \$ OWED: \*180,712.00

>IMMIGRATION ATTORNEY'S NAME \_\_\_\_\_ (k)(2),(b)(6),(b)(7)c 206-909-8090 (k)(2),(b)(6),(b)(7)c

>COMPLETE ADDRESS: \_\_\_\_\_

NOTES: \_\_\_\_\_

EMM  
Check  
3/3/09

(k)(2),(b)(6),(b)(7)c

**INSTRUCTIONS**  
(READ INSTRUCTIONS CAREFULLY)

This bond may be executed by either an acceptable surety company (surety bond), or any other obligor who deposits United States bonds or notes (Treasury bond) or cash (cash bond) as security for performance and fulfillment of the undertaking thereon. The party executing the bond is the principal obligor. An acceptable surety company is one that appears on a current Treasury Department Circular 570 as a company holding the requisite certificate of authority to act as a surety on Federal bonds. A bond executed by a surety company must have a currently valid power of attorney showing the authority of the agent of the surety company to execute the bond attached. Powers of Attorney do not have official form numbers. They differ from state to state and from company to company. Any agent of the surety shall be a party to this bond agreement, and he/she shall sign as a co-obligor in paragraph D. Failure of an agent to sign as co-obligor shall result in rejection of the bond. A co-obligor shall be jointly and severally liable with the surety for any breach of this bond agreement. Only an acceptable surety company is eligible to be the principal obligor on a surety bond (i.e., the liability of a co-obligor is in addition to, not instead of, that of the principal obligor).

Obligors and co-obligors (if any) shall state their full name and address in Paragraph A, and shall sign the bond where indicated in Paragraph D. Either the obligor or co-obligor, or both, may be corporate entities. In addition, the obligor for either a Treasury or cash bond must deposit the requisite security and execute the appropriate Power of Attorney (i.e., either Paragraph H or I). This deposit and execution may be made before two officers or employees of the INS who have been authorized to administer oaths pursuant to 8 U.S.C. 1357, and who shall sign as witnesses in Paragraph J. A notary public may witness the obligor's signature in either Paragraph H or I by affixing his/her notarial seal where indicated and showing the date his/her commission expires. No seal is required when officers or employees of the INS witness the transaction. When a notary public witnesses the obligor's signature, INS witnesses must still acknowledge receipt of the security for the bond in Paragraph J.

Only the owner of record may deposit United States bonds or notes. Such bonds or notes must be negotiable and not redeemable within one year of the date of the deposit. Any charges made by the depository for accepting United States bonds or notes must be borne by the alien or the owner of the security.

All erasures and cross-outs must be initialed by all parties. The initials of the parties constitute their acceptance of the changes made. Any erasure of cross-out lacking these initials shall be null and void.

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**PRIVACY ACT STATEMENT**

The authority to prescribe this form is contained in 8 U.S.C. 1103(a), 1183, 1226, 1229, 1229a, 1229b, 1229c, and 1231. Submission of the information requested on this form is voluntary. The solicited information will be used principally by the INS to determine whether the alien for whom the bond is furnished shall be admitted into the United States, or release from INS custody. The information may also as a matter of routine use be disclosed to other federal, state, local, and foreign law enforcement and regulatory agencies, the Department of Defense, including any component the obligor has served in, or is serving, the Department of State, Central Intelligence Agency, Interpol, and individuals and organizations, during the course of investigation to elicit further information required by the INS to carry out its functions. Failure to provide the solicited information may result in the denial of a visa, denial of adjustment of status, deportation/exclusion/removal from the United States, or the continued detention of the alien in INS custody in conjunction with such proceedings.

**Public Reporting Burden.** Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. The estimated average time to complete and file this application is 30 minutes per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Immigration and Naturalization Service, HQPDI, 425 I Street, N.W., Room 4307r, Washington DC 20536. **(Do not mail your completed application to this address.)**

**GENERAL TERMS AND CONDITIONS**

The express language of the bond contract shall take precedence over any inconsistent policies or statements. Federal law shall apply to the interpretation of the contract, and its terms shall be strictly construed.

Provided it has the concurrence of the government, a surety may re-bond the alien at any time and at no expense to the government, provided it does not change the amount of the bond. Cancellation of a bond issued as a delivery bond shall occur upon any of the following, provided they occur prior to the date of a breach: INS' taking the alien back into its custody; deportation/exclusion/removal of the bonded alien; issuance of a new delivery or voluntary departure bond on the bonded alien; grant of permanent residence to the bonded alien; notice of the detention of the bonded alien for 30 or more days pursuant, or prior, to a conviction by local, state, or federal authorities; termination of deportation/removal proceedings (but not administrative closure or stay of such proceedings); death of the bonded alien; valid proof of the bonded alien's voluntary departure; or other circumstances as provided by statute or regulation. Cancellation for these reasons is automatic, and any subsequent appearance demand, or attempt to breach the bond, is null and void. The bond will not be canceled solely because the bonded alien is detained for less than 30 days by any local, state, or federal government agency. Execution of a voluntary departure bond for an alien cancels any existing delivery bond posted on behalf of the same alien, except in the circumstance when an immigration judge grants voluntary departure at the conclusion of a proceeding, and the alien appeals the finding of removability. Nothing in this contract shall affect the obligor's right to raise any defense to a bond breach in a timely administrative appeal. INS shall notify the obligor of a demand to produce the alien, the breach or cancellation of a bond, and any demand for payment of a bond. Paragraph seven of the settlement in *AMWEST SURETY v. RENO*, No 93-3256 JSL (Shx)(C.D. CA) requires that INS send a copy of any new or amended Notice to Appear or amended Order to Show Cause to the obligor. INS is not required to give the obligor notice of any other actions related to the bonded alien's immigration court proceedings. No demand to produce the bonded alien for deportation/removal shall be sent less than three days prior to sending notice to the bonded alien.

A delivery bond is breached when in response to a timely demand, the obligor either fails to produce the alien at the location specified in that demand. Except for good cause shown, this location shall be the District in which either removal/deportation proceedings are pending, or in which the Immigration Court issued a final order of removal/deportation. INS shall send notice of a breach of the bond to the obligor on Form I-323, Notice-Immigration Bond Breached, at the address of record. A voluntary departure bond is breached when the obligor fails to present valid proof that the bonded alien departed the United States on or before the date specified in the order granting voluntary departure within 30 days of that date. INS regulations provide that upon notification of a breach, the obligor has 30 days in which to file an administrative appeal or motion for reconsideration of the breach. A breach shall be administratively final if not appealed within this period. No Form I-323 shall be sent to the obligor more than 180 days following the date of the breach, and any notice sent more than 180 days after the date of the breach shall be unenforceable. The date of the breach for a delivery bond is the surrender date specified in the demand. For a voluntary departure bond, it is the 30th day after the date by which the alien was to depart the United States. Failure to send a Form I-323 within 180 days shall have no effect on the status of the bond; i.e., the bond shall remain in full force until and unless properly canceled. In the case of a delivery bond, INS may, unless otherwise precluded by law, send a new timely demand to produce the alien and then breach the bond again if the obligor fails to produce the alien.

A public charge bond is breached when the alien accepts any form of public assistance that leads to a final determination under either 8 U.S.C. 1227(a)(5); 8 CFR 237.10 - 237.18 that the alien has become a "public charge" or under 8 U.S.C. 1182(a)(4); 8 CFR 212.100 - 112 that the alien is likely to become a "public charge." As described in those regulations, the only forms of public assistance that can be considered in making a public charge finding are cash for income maintenance purposes or the government's costs for providing the alien with long-term care in an institution. Liability for such breach shall continue to accrue until the alien ceases to accept the public assistance that was considered in the determination that the alien has become or is likely to become a public charge under the statutes and regulations referenced in this paragraph, except that in no event shall the total liability of the obligor exceed the total amount of the bond. INS shall send notice of the breach to the obligor on Form I-323 as described in the paragraph above.

Demands for amounts due under the terms of this bond will be sent to the obligor after a breach becomes administratively final. If the surety or agent of the surety does not make payments within 120 days of the demand for payment, INS will notify the Department of Treasury of such nonpayment. Each co-obligor agrees that, in the event payment is not made within 30 days of the date of the demand for payment, interest, penalty, and handling charges as provided by the statute and regulation will accrue from the date of the first demand, and will be payable as damages hereunder. The statute of limitations that applies to actions for monetary damages from a breached bond is six years from the date of the breach event. (28 U.S.C. 2415)

Any obligation or duty imposed on an obligor by this contract applies equally to all co-obligors.

(Bonded Alien) File No. A88-737-523

Bond Receipt No. (k)(2),(b)(6),(b)(7)c

G. (1) BOND CONDITIONED UPON THE DELIVERY OF AN ALIEN. In consideration of the granting of the application of the above alien for release from custody under a warrant of arrest issued by the Attorney General charging that he/she is unlawfully in the United States, provided there is furnished a suitable bond as authorized by Section 236 and/or Section 241 of the Immigration and Nationality Act, the obligor hereby furnishes such bond with the following conditions if: (1) the alien is released from custody and if the obligor shall cause the alien to be produced or to produce himself/herself to an immigration officer or an immigration judge of the United States, as specified in the appearance notice, upon each and every written request until exclusion/deportation/removal proceedings in his/her case are finally terminated; (2) the said alien is accepted by the INS for detention or deportation/removal; or (3) the bond is otherwise canceled, this obligation shall terminate. If, however, the obligor fails to surrender the alien in response to a timely demand while the bond remains in effect, the full amount of the bond (see Paragraph C above), becomes due and payable. The obligor further agrees that no order issued by or under the authority of the Attorney General by virtue of which issuance or execution of any order of deportation/removal is or may be deferred, shall be in any manner construed to impair or render void this obligation or any part thereof.

(2) BOND THAT ALIEN SHALL NOT BECOME A PUBLIC CHARGE. In consideration of the granting of the application of the above alien for permission to enter the United States, providing there is furnished a suitable bond that he/she will not become a public charge, the obligor hereby furnishes such bond with the following conditions: if the alien is admitted to the United States and accepts any form of public assistance that leads to a final determination under either 8 U.S.C. 1227(a)(5); 8 CFR 23.10 - 237.18 that the alien has become a "public charge" or under 8 U.S.C. 1182(a)(4) that the alien is likely to become a "public charge," the obligor shall pay to the United States or to any State, Territory, county, town, municipality or district thereof, which shall have provided such public assistance any or all charges or expenses arising therefrom up to the total amount of the bond. As described in those regulations, the only forms of public assistance that will be considered in making a public charge finding are cash for income maintenance purposes or the government's costs for providing the alien with long-term care in an institution. In the event that the public authority providing the assistance is not authorized to accept reimbursement, the obligor agrees that he/she will promptly pay the actual expenses to the Immigration and Naturalization Service. If the obligor fails to pay all charges or expenses within 30 days after notice to him/her by the INS that the alien received a form of public assistance that was considered in making a determination that the alien has become or is likely to become a "public charge" under the statutes and regulations referenced in this paragraph, provided that in no event shall the liability of the obligor exceed the total amount of bond, then INS may cease to do business with the obligor or co-obligor. Any such amounts collected by the INS, which are not turned over to the public authority providing the assistance will be deposited in the Breached Bond Detention Fund. Notwithstanding any violation of this bond and any payment made pursuant to the terms thereof, this obligation shall remain in full force and effect as to the remainder of the liability of this obligation until the departure, naturalization or death of the alien. It is further agreed that suit to enforce any of the conditions of this bond may be instituted by either United States, or any interested State, Territory, county, town, municipality, or district thereof.

(3) BOND CONDITIONED UPON THE VOLUNTARY DEPARTURE OF AN ALIEN. In consideration of the granting by the Attorney General of an application of the above alien to depart voluntarily from the United States, provided there is furnished a suitable bond as authorized by 8 U.S.C. 1229c the obligor hereby furnishes such bond with the following conditions if: (1) the obligor ensures that the alien departs the United States on or before the date specified in the order granting voluntary departure, and provides probative documentation of the departure; or (2) the alien is actually accepted by the INS for detention or deportation/removal, this obligation shall terminate. Otherwise the amount of the bond specified in Paragraph C above shall become due and payable.

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*Mitigation (Applies to Item (G)(1))*

An execution to the above occurs when the obligor or surety delivers the bonded alien within varying increments of the 30 calendar day period following the date of the bond breach. If the obligor or surety delivers the bonded alien within 10 days of the date of the breach, the obligor or surety shall receive a mitigation of 66.67% of the bond principal. If the obligor delivers the bonded alien within 20 days of the date of the bond breach, the obligor or surety shall receive a mitigation of 50% of the bond principal. If the obligor or surety delivers the bonded alien within 30 days of the date of the bond breach, the obligor or surety shall receive a mitigation of 30% of the bond principal. If the obligor delivers the bonded alien more than 30 days after the date of the bond breach, no amount will be mitigated and the full amount of the bond will be due from the obligor. Nothing in this paragraph precludes the INS from apprehending the bonded alien during the mitigation period. If the obligor elects to deliver the bonded alien to mitigate damages, it must give the appropriate INS office written notice of delivery not less than 72 hours prior to delivering the bonded alien. The requirement to provide written notice may be waived by the District Director or the District Director's designee in the appropriate circumstances.

(Bonded Alien) File No. A88-737-523

Bond Receipt No. (k)(2),(b)(6),(b)(7)c

**H. PLEDGE AND POWER OF ATTORNEY FOR USE WHEN UNITED STATES BONDS OR NOTES ARE DEPOSITED AS SECURITY.**

I hereby pledge the United States Bond/Notes described in the following schedule as security for the performance and fulfillment of the obligations described in paragraph C above in accordance with 6 U.S.C. 15, 31 CFR part 225, and Treasury Department Circular 154. I appoint the Attorney General of the United States as my attorney to collect, sell, assign, and transfer said United States Bond or Note. In the case of any default in performance of conditions herein, my attorney shall have the power to collect without appraisal or valuation notice, and to apply the proceeds to the satisfaction of any damages, demands, or deficiencies arising from such default. I waive my right to redeem this security.

Title of Bond/Notes	Coupons Attached	Face Value	Interest Rate	Serial No.	Interest Dates

(Affix Seal Here  
if Required)

\_\_\_\_\_  
(Signature of Person Pledging Bonds or Notes)

**I. PLEDGE AND POWER OF ATTORNEY FOR USE WHEN CASH IS DEPOSITED AS SECURITY.**

I hereby pledge the amount of \_\_\_\_\_ (\$ \_\_\_\_\_) United States currency as security for the performance and fulfillment of the obligations described in paragraph C above. I appoint the Attorney General of the United States as my attorney to collect or to assign and transfer the said sum of money. I agree that, in case of default in the performance of any of the conditions herein to which I have subscribed, said attorney shall have full power to collect said sum of money or any part thereof or to assign and transfer said sum or any part thereof deemed appropriate by said attorney to the satisfaction of any damages, demands, or deficiencies arising by reason of such default. I further empower said attorney, in the event all the conditions herein to which I have subscribed have been complied with and the bond is canceled, to deliver the said sum of money plus any interest accrued thereon, to me at my risk and expense by such means as said attorney shall select.

(Affix Seal Here  
if Required)

\_\_\_\_\_  
(Signature of Person Pledging Cash)

J. Before me, within the county/city/parish of \_\_\_\_\_ in \_\_\_\_\_, the above named individual personally appeared before us, acknowledges the execution of the foregoing power of attorney, and deposited the security described above. Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

This copy is to be retained by the obligor.

(Bonded Alien) File No. A88-737-523

Bond Receipt No. (k)(2),(b)(6),(b)(7)c

**H. PLEDGE AND POWER OF ATTORNEY FOR USE WHEN UNITED STATES BONDS OR NOTES ARE DEPOSITED AS SECURITY.**

I hereby pledge the United States Bond/Notes described in the following schedule as security for the performance and fulfillment of the obligations described in paragraph C above in accordance with 6 U.S.C. 15, 31 CFR part 225, and Treasury Department Circular 154. I appoint the Attorney General of the United States as my attorney to collect, sell, assign, and transfer said United States Bond or Note. In the case of any default in performance of conditions herein, my attorney shall have the power to collect without appraisal or valuation notice, and to apply the proceeds to the satisfaction of any damages, demands, or deficiencies arising from such default. I waive my right to redeem this security.

Title of Bond/Notes	Coupons Attached	Face Value	Interest Rate	Serial No.	Interest Dates

(Affix Seal Here  
if Required)

\_\_\_\_\_  
(Signature of Person Pledging Bonds or Notes)

**I. PLEDGE AND POWER OF ATTORNEY FOR USE WHEN CASH IS DEPOSITED AS SECURITY.**

I hereby pledge the amount of \_\_\_\_\_ (\$ \_\_\_\_\_) United States currency as security for the performance and fulfillment of the obligations described in paragraph C above. I appoint the Attorney General of the United States as my attorney to collect or to assign and transfer the said sum of money. I agree that, in case of default in the performance of any of the conditions herein to which I have subscribed, said attorney shall have full power to collect said sum of money or any part thereof or to assign and transfer said sum or any part thereof deemed appropriate by said attorney to the satisfaction of any damages, demands, or deficiencies arising by reason of such default. I further empower said attorney, in the event all the conditions herein to which I have subscribed have been complied with and the bond is canceled, to deliver the said sum of money plus any interest accrued thereon, to me at my risk and expense by such means as said attorney shall select.

(Affix Seal Here  
if Required)

\_\_\_\_\_  
(Signature of Person Pledging Cash)

J. Before me, within the county/city/parish of \_\_\_\_\_ in \_\_\_\_\_, the above named individual personally appeared before us, acknowledges the execution of the foregoing power of attorney, and deposited the security described above. Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

This copy is to be retained by Bond Section ACB-FIN.

FEB-25-2009 05:49 FROM: ALL CITY BAIL BONDS (b)(6),(b)(7)c TO: 1760341 (b)(6),(b)(7)c P.3/4

18 737 523

U.S. IMMIGRATION (HOMELAND SECURITY) BONDS  
74-930 COUNTRY CLUB DR. SUITE 540-182  
PALM DESERT, CA 92260

IMMIGRATION BOND WORK SHEET

NORTH WEST DETENTION CENTER

>PLACE OF CUSTODY: TACOMA, WA HOW LONG: SINCE 2-17-09  
>INS AGENTS NAME: \_\_\_\_\_ PHONE # ( ) \_\_\_\_\_

>ALIENS LAST NAME TAYYAN  
FIRST EMMATE MIDDLE TOURANT

>COMPLETE ADDRESS: 2308-188th A. SW LYNNWOOD, WA 98023  
PHONE # 206-909-8090

>ALIENS TRANSPORTATION BACK HOME:  AUTO ( ) PLANE ( ) BUS

>ALIEN NUMBER A# 88737523 - MUST BE (EIGHT DIGITS)

>BOND AMOUNT \$ 30,000.00

>DATE OF BIRTH 8/29/81 PLACE OF BIRTH: ISTANBUL, TURKEY

>DATE ENTERED USA: \_\_\_\_\_ ENTERED AS: STUDENT VISA

>PORT (PLACE) OF ENTRY: Seattle, WA

>INDEMNITORS NAME: \_\_\_\_\_ (k)(2),(b)(6),(b)(7)c

>COMPLETE ADDRESS \_\_\_\_\_ (k)(2),(b)(6),(b)(7)c LYNNWOOD WA 98023  
PHONE # 206-909-8090 (k)(2),(b)(6),(b)(7)c

>COLLATERAL ADDRESS: SAME

>\$ PAID: 218K DATE PURCHASED: 8/12/03 \$ OWED: \$180,712.00

>IMMIGRATION ATTORNEY'S NAME: \_\_\_\_\_ (k)(2),(b)(6),(b)(7)c 206-909-8090 (b)(6),(b)(7)c

>COMPLETE ADDRESS: \_\_\_\_\_

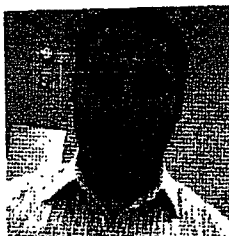


NOTES: \_\_\_\_\_

(760) 346-7145 (FAX) 341-7744 E-MAIL [bondsforins@aol.com](mailto:bondsforins@aol.com)

U.S. Department of Homeland Security

Subject ID: (k)(2),(b)(7)e

Record of Deportable/Inadmissible Alien

Family Name (CAPS) <b>TARHAN, Turgut</b>		First	Middle	Sex <b>M</b>	Hair <b>BRO</b>	Eyes <b>BRO</b>	Complexion <b>MED</b>
Country of Citizenship <b>TURKEY</b>	Passport Number and Country of Issue	Case No: (k)(2),(b)(7)e <b>A088737523</b>		Height <b>65</b>	Weight <b>125</b>	Occupation <b>STUDENT</b>	
U.S. Address <b>1623 EAST J STREET SUITE 5 TACOMA, WASHINGTON, 98421,</b>				Scars and Marks <b>See Narrative</b>			
Date, Place, Time, and Manner of Last Entry <b>7/3/2003, Unknown Time, SET, F1</b>		Passenger Boarded at		P.B.I. Number <b>(k)(2),(b)(7)e</b>		<input checked="" type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated	
Number, Street, City, Province (State) and Country of Permanent Residence <b>BALTALIMANI CAD. HISARPALAS APT# 31/10 RUMELIHISARI ISTANBUL, TURKEY</b>				Method of Location/Apprehension <b>(k)(2),(b)(7)e</b>			
Date of Birth <b>08/27/1984</b>	Age: <b>24</b>	Date of Action <b>02/17/2009</b>	Location Code <b>SEA/SEA</b>	At/Neat <b>SEATTLE, WA</b>	Date/Hour <b>02/17/2009</b>	By <b>(k)(2),(b)(6),(b)(7)c</b>	
City, Province (State) and Country of Birth <b>TURKEY</b>		AR <input checked="" type="checkbox"/>	Form: (Type and No.) <input type="checkbox"/> Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>	Status at Entry <b>Student</b>		Status When Found <b>IN INSTITUTION</b>	
NIV Issuing Post and NIV Number		Social Security Account Name		Length of Time Illegality in U.S. <b>1 MONTH TO 1 YEAR</b>			
Date Visa Issued		Social Security Number		Immigration Record <b>POSITIVE - See Narrative</b>			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)		Criminal Record <b>See Narrative</b>		Number and Nationality of Minor Children <b>NONE</b>			
Father's Name, Nationality, and Address, if Known <b>See Father info in Narrative</b>		Mother's Present and Maiden Names, Nationality, and Address, if Known <b>Nationality: TURKEY (k)(2),(b)(6),(b)(7)c ISTANBUL, TURKEY</b>		Mortgages Due/Property in U.S. Not in Immediate Possession <b>None Claimed</b>			
Name and Address of (Last)(Current) U.S. Employer		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks <b>See Narrative (k)(2),(b)(7)e</b>	Charge Code Word(s)			
Type of Employment		Salary	Employed from/to	Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) <b>FINS: 1059674598</b>			
Left Index fingerprint		Right Index fingerprint		  			
SCARS, MARKS, AND TATTOOS							
SCAR CHEST - BURN							
SCAR HAND, RIGHT - INDEX FINGER							
FATHER NAME & ADDRESS ... (CONTINUED ON I-831)							
Alien has been advised of communication privileges		Date/Initials <b>2/17/09 (k)(2),(b)(6),(b)(7)c</b>		Officer			
Distribution:		Received		Officer: (k)(2),(b)(6),(b)(7)c			
file	on: <b>February 17, 2009 at 1822</b>		(time)				
stats	Disposition: <b>Warrant of Arrest/N</b>		(k)(2),(b)(6),(b)(7)c				
intel	Examining Officer: (k)(2),(b)(6),(b)(7)c		(k)(2),(b)(6),(b)(7)c				

U.S. Department of Homeland Security

Continuation Page for Form 1213

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b>	Date <b>02/17/2009</b>
Event No: (k)(2),(b)(7)e		

Nationality: **TURKEY TARHAN, Tugrul**  
**ISTANBUL, TURKEY**

RECORDS CHECKED

(k)(2),(b)(7)e

Record of Deportable/Excludable Alien:

On 02/17/2009, I (k)(2),(b)(6),(b)(7)c encountered subject **TARHAN, Turgut** DOB 08/27/1984, while performing CAP duties at the King County Jail, Seattle, WA.

During interview, subject **TARHAN** freely admitted to being a citizen and national of Turkey. Subject stated that he last entered the United States on or about July 3, 2003 at SET POE, Seattle, WA with a valid F1 visa.

Subject states that he is not married and has no children. Subject has a sister (k)(2),(b)(6),(b)(7)c residing in the United States at (k)(2),(b)(6),(b)(7)c Lynnwood, WA. Subject states (k)(2),(b)(6),(b)(7)c that he was not employed at the time of his arrest.

Immigration History:

A review of available service databases shows the following immigration history:

- 09/05/2002 - Subject entered the United States as an F1 student and departed on 06/13/2003.
- 07/03/2003 - Subject entered the United States as an F1 student (I-94 # 592745744 10)
- 12/08/2008 - Subject's F1 status terminated in SEVIS due to Failure to Enroll.

Criminal History:

- 06/03/2007 - Subject was being held at the King County Jail, Seattle, WA for an arrest for Rape 2.
- 06/10/2004 - Subject arrested by Seattle PD on the charge of Harassment. No charges filed.
- 08/01/2008 - Subject arrested by Seattle, PD on the charge of Rape 2. Convicted of Rape 3 and sentenced to 10 months and 36 to 48 months of community custody.
- 09/04/2008 - Subject filed an appeal of his conviction in King County Superior Court.

Disposition:

Subject claims no health problems or injuries. Subject is missing the fingernail on his right, ... (CONTINUED ON NEXT PAGE)

Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>
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U.S. Department of Homeland Security

Continuation Page for Form I213

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b> Event No: (k)(2),(b)(7)e	Date <b>02/17/2009</b>
<p>middle finger from an old injury.</p> <p>Subject expressed no fear of being returned to his country of origin.</p> <p>Subject was advised of his rights as per form I-826 attached, was provided with a list of free legal service providers and explained his consular notification rights as prescribed by 8 CFR 236.1 (e).</p> <p>Subject entered the United States with a valid F1 nonimmigrant visa on September 22, 2004. On December,08, 2008 subject's status was terminated in SEVIS due to Failure to Enroll. In such, subject is in violation of section 237 (a) (1) (C) (i) of the INA as amended.</p> <p>Subject processed as an NTA.</p>		
Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>	

02

U.S. Department of Homeland Security

Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID : (k)(2),(b)(7)e

FIN #: 1059674598

File No: A088 737 523

DOB: 08/27/1984

Event No: (k)(2),(b)(7)e

In the Matter of:

Turgut TARHAN

currently residing at:

Respondent:

1623 EAST J STREET SUITE 5 , TACOMA WASHINGTON 98421

(253)779-6000

(Number, street, city and ZIP code)

(Area code and phone number)

- 1. You are an arriving alien.
- 2. You are an alien present in the United States who has not been admitted or paroled.
- 3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of TURKEY and a citizen of TURKEY;
3. You were admitted to the United States at Seattle, WA on 03 SEPT 2003 as a nonimmigrant student to attend Central Washington University in Seattle, WA ;
4. You did not attend Central Washington University from 22 SEPT 2008 to 16 DEC 2008.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 237(a) (1) (C) (i) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a) (15) of the Act, you failed to maintain or comply with the conditions of the nonimmigrant status under which you were admitted.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30(f)(2)  8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:  
1623 E J Street #3 Tacoma WASHINGTON US 98421

on a date to be set at a time to be set  
(Date) (Time)

(Complete Address of Immigration Judge) [Redacted]  
(k)(2),(b)(6),(b)(7)c

charge(s) set forth above. [Redacted] the United States based on the  
(k)(2),(b)(6),(b)(7)c Sentencing Deportation Officer:

(Signature and Title of Issuing Officer)

Date: February 19, 2009 SEATTLE, WA (City and State)

See reverse for important information

Form I-862 (Rev. 08/01/07)

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to one of the offices listed in 8 CFR 241.16(a). Specific addresses on locations for surrender can be obtained from your local DHS office or over the internet at http://www.ice.gov/about/dro/contact.htm. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Act.

Request for Prompt Hearing

In my determination in my case, I request an immediate hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

(k)(2),(b)(6),(b)(7)c

X [Signature] (Signature of Respondent)

Date: 2/20/09

Certificate of Service




This Notice To Appear was served on the respondent by me on 2/20/2009 in the following manner and in compliance with section 239(a)(1)(F) of the Act.

- [X] in person [ ] by certified mail, returned receipt requested [ ] by regular mail
[ ] Attached is a credible fear worksheet.
[ ] Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the consequences of failure to appear as provided in section 240(b)(7) of the Act. [Signature] (k)(2),(b)(6),(b)(7)c

[Signature] (Signature of Respondent if Personally Served)

REMENT AGENT

Family Name (CAPS) <b>TARHAN, Turgut</b>		First	Middle	Sex <b>M</b>	Hair <b>BRO</b>	Eyes <b>BRO</b>	Cmpbkn <b>MED</b>
Country of Citizenship <b>TURKEY</b>	Passport Number and Country of Issue	Case No <b>A088737523</b>	File Number <b>(k)(2),(b)(7)e</b>	Height <b>65</b>	Weight <b>125</b>	Occupation <b>STUDENT</b>	
U.S. Address <b>1623 EAST J STREET SUITE 5 TACOMA, WASHINGTON, 98421,</b>				Scars and Marks <b>See Narrative</b>			
Date, Place, Time, and Manner of Last Entry <b>7/3/2003, Unknown Time, SET, F1</b>		Passenger Boarded at		F.B.I. Number <b>(k)(2),(b)(7)e</b>		<input checked="" type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated	
Number, Street, City, Province (State) and Country of Permanent Residence <b>BALTALIMANI CAD. HISARPALAS APT# 31/10 RUMELIHISARI ISTANBUL, TURKEY.</b>				Method of Location/Apprehension <b>(k)(2),(b)(7)e</b>			
Date of Birth <b>08/27/1984</b>	Age: <b>24</b>	Date of Action <b>02/17/2009</b>	Location Code <b>SEA/SEA</b>	At/Near <b>SEATTLE, WA</b>		Date/Hour <b>02/17/2009</b>	
City, Province (State) and Country of Birth <b>TURKEY</b>		AR <input checked="" type="checkbox"/> Form : (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>		By <b>MATTHEW NELSON</b>			
NIV Issuing Post and NIV Number		Social Security Account Name		Status at Entry <b>Student</b>		Status When Found <b>IN INSTITUTION</b>	
Date Visa Issued		Social Security Number		Length of Time Illegally in U.S. <b>1 MONTH TO 1 YEAR</b>			
Immigration Record <b>POSITIVE - See Narrative</b>			Criminal Record <b>See Narrative</b>				
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)				Number and Nationality of Minor Children <b>NONE</b>			
Father's Name, Nationality, and Address, if Known <b>See Father info in Narrative</b>			Mother's Present and Maiden Names, Nationality, and Address, if Known <b>Nationality: TURKEY (k)(2),(b)(6),(b)(7)c ISTANBUL, TURKEY</b>				
Monies Due/Property in U.S. Not in Immediate Possession <b>None Claimed</b>		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Systems Checks <b>See Narrative (k)(2),(b)(7)e</b>		Charge Code Words(s)	
Name and Address of (Last)(Current) U.S. Employer		Type of Employment		Salary		Employed from/to Hr	
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) <b>FINS: 1059674598</b>							
			<b>Left Index fingerprint</b>		<b>Right Index fingerprint</b>		
							
<b>SCARS, MARKS, AND TATTOOS</b>							
-----							
<b>SCAR CHEST - BURN</b>							
<b>SCAR HAND, RIGHT - INDEX FINGER</b>							
<b>FATHER NAME &amp; ADDRESS</b>							
... (CONTINUED ON I-831)							
Alien has been advised of communication privileges <u>2/17/09</u> (k)(2),(b)(6),(b)(7)c (Date/Init				(k)(2),(b)(6),(b)(7)c			
Distribution:		Received: (Subject and Documents) (Report of Interview)					
file		Officer: (k)(2),(b)(6),(b)(7)c					
stats		on: <b>February 17, 2009 at 1822</b>					
in		Disposition: <b>Warrant of Arrest</b> (k)(2),(b)(6),(b)(7)c					
		Examine Officer: (k)(2),(b)(6),(b)(7)c					

to R/IJ  
2/25/09 (k)(2),(b)(6),(b)(7)c



Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b>	Date <b>02/17/2009</b>
Event No: (k)(2),(b)(7)e		

Nationality: TURKEY TARHAN, Tugrul  
ISTANBUL, TURKEY

RECORDS CHECKED

(k)(2),(b)(7)e

Record of Deportable/Excludable Alien:

On 02/17/2009, IIR (k)(2),(b)(6),(b)(7)c encountered subject TARHAN, Turgut DOB 08/27/1984, while performing CAP duties at the King County Jail, Seattle, WA.

During interview, subject TARHAN freely admitted to being a citizen and national of Turkey. Subject stated that he last entered the United States on or about July 3, 2003 at SET POE, Seattle, WA with a valid F1 visa.

Subject states that he is not married and has no children. Subject has a sister (k)(2),(b)(6),(b)(7)c residing in the United States at (k)(2),(b)(6),(b)(7)c Lynnwood, WA. Subject states that he was not employed at the time of his arrest.

Immigration History:

A review of available service databases shows the following immigration history:

- 09/05/2002 - Subject entered the United States as an F1 student and departed on 06/13/2003.
- 07/03/2003 - Subject entered the United States as an F1 student (I-94 # 592745744 10)
- 12/08/2008 - Subject's F1 status terminated in SEVIS due to Failure to Enroll.

Criminal History:

- 06/03/2007 - Subject was being held at the King County Jail, Seattle, WA for an arrest for Rape 2.
- 06/10/2004 - Subject arrested by Seattle PD on the charge of Harassment. No charges filed.
- 08/01/2008 - Subject arrested by Seattle, PD on the charge of Rape 2. Convicted of Rape 3 and sentenced to 10 months and 36 to 48 months of community custody.
- 09/04/2008 - Subject filed an appeal of his conviction in King County Superior Court.

Disposition:

Subject claims no health problems or injuries. Subject is missing the fingernail on his right, ... (CONTINUED ON NEXT PAGE)

Signature (k)(2),(b)(6),(b)(7)c	Title IMMIGRATION ENFORCEMENT AGENT
------------------------------------	--

2

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b> Event No: (k)(2),(b)(7)e	Date <b>02/17/2009</b>
<p>middle finger from an old injury.</p> <p>Subject expressed no fear of being returned to his country of origin.</p> <p>Subject was advised of his rights as per form I-826 attached, was provided with a list of free legal service providers and explained his consular notification rights as prescribed by 8 CFR 236.1 (e).</p> <p>Subject entered the United States with a valid F1 nonimmigrant visa on September 22, 2004. On December, 08, 2008 subject's status was terminated in SEVIS due to Failure to Enroll. In such, subject is in violation of section 237 (a) (1) (C) (i) of the INA as amended.</p> <p>Subject processed as an NTA.</p>		
Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>	

3



U.S. Immigration  
and Customs  
Enforcement



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## Student Information

[Form I-17](#)

[Return To Search Results](#)

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Details](#)

[Transfer History](#)

### Personal Information

SEVIS ID: **N0000318636**  
 FIN ID :  
 Family Name: **TARHAN**  
 First Name: **TURGUT**  
 Country of Birth: **TURKEY**  
 Date of Birth: **08/27/1984**  
 Country of Citizenship: **TURKEY**  
 Gender: **MALE**  
 Foreign Address: **Baltalmani Cad.,  
Hisarpalaz Apt. No.  
31/10  
Rumelhisar  
Istanbul  
TURKEY**  
 U.S. Address: **1942 Westlake Ave Apt  
#2405  
Seattle  
WASHINGTON  
98101**  
 SSN:  
 Driver's License Number:  
 Driver's License Issuing  
State:  
 Individual Taxpayer ID  
Number:

### Program Information

Status: **TERMINATED**  
 Termination Reason: **FAILURE TO ENRO**  
 Visa Type: **F-1**  
 School Status: **APPROVED**  
 School Name: **Central Washingto  
University**  
 School Code: **SEA214F1004600t**  
 Campus Name: **Central Washingto  
University**  
 I-20 Issue Reason: **CONTINUED  
ATTENDANCE**  
 Education Level: **BACHELOR'S**  
 Major: **52.0201 - Busines  
Administration and  
Management, Gen**  
 Secondary Major:  
 Minor:  
 Program Start Date: **01/16/2007**  
 Program End Date: **12/16/2009**  
 Normal Length of Study: **24**  
 Current Session End Date: **06/06/2008**  
 Next Session Start Date: **09/22/2008**  
 School Requires English  
Proficiency: **Yes**  
 Student Has English  
Proficiency: **Yes**  
 English Is Not Required  
Because:  
 Remarks:

### Financial Information

Number of Months: **09**  
 Tuition Fees: **\$14,193.00**  
 Living Expenses: **\$11,034.00**  
 Dependent Expenses:  
 Other Costs:  
 Other Costs Comment:  
**Total Expenses: \$25,227.00**  
 Student's Personal Funds: **\$25,227.00**  
 Funds From This School:  
 School Fund Type:  
 Funds From Other  
Sources:  
 Source Type:

### Travel Information

Passport Number:  
 Visa Number:  
 Visa Issue Date: **07/02/2003**  
 Visa Issue Post:  
 Port of Entry:  
 Date of Entry:  
 I-94/Admission Number:  
 Port of Departure:  
 Date of Departure:

### I-901 SEVIS Fee Payment Informatic

Transaction Type:  
 Transaction Date:

9

On-Campus Employment:  
Total Funding: \$25,227.00

Transaction Amount:  
Fee Payment/Cancellation  
Receipt Number:

Student Requests:  
Request Type  
Transfer

Request Status  
APPROVED

Receipt Number

02/18/2009 (Wednesday)

02/18/2009

10



U.S. Immigration  
and Customs  
Enforcement



Student & Exchange Visitor  
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### Search Results

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**Search Criteria:**

SEVIS ID = N0000318636

SEVIS ID	Visa Type	School Code	Family Name	First Name	Program Start Date	Program End Date	Status	Last Status Change
N0000318636	F-1	SEA214F10046000	TARHAN	TURGUT	01/16/2007	12/16/2009	TERMINATED	12/08/2008
N0000318636	F-1	SEA214F00001000	TARHAN	TURGUT	09/16/2002	03/21/2007	DEACTIVATED	01/05/2007

2 Recs

02/18/2009 (Wednesday)

02

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID : (k)(2),(b)(7)e

FIN #: 1059674598

File No: A088 737 523

DOB: 08/27/1984

Event No: (k)(2),(b)(7)e

In the Matter of:

Turgut TARHAN

Respondent:

currently residing at:

1623 EAST J STREET SUITE 5 , TACOMA WASHINGTON 98421

(253)779-6000

(Number, street, city and ZIP code)

(Area code and phone number)

2009 FEB 21 PM 3:49

- 1. You are an arriving alien.
- 2. You are an alien present in the United States who has not been admitted or paroled.
- 3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of TURKEY and a citizen of TURKEY;
3. You were admitted to the United States at Seattle, WA on 03 SEPT 2003 as a nonimmigrant student to attend Central Washington University in Seattle, WA ;
4. You did not attend Central Washington University from 22 SEPT 2008 to 16 DEC 2008.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 237(a)(1)(C)(i) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you failed to maintain or comply with the conditions of the nonimmigrant status under which you were admitted.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30(f)(2)  8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at: 1623 E J Street #3 Tacoma WASHINGTON US 98421

on a date to be set at a time to be set \_\_\_\_\_ the United States based on the  
 (Date) (Time) (k)(2),(b)(6),(b)(7)c  
 charge(s) set forth above. \_\_\_\_\_  
 (k)(2),(b)(6),(b)(7)c \_\_\_\_\_  
 (Signature and Title of Issuing Officer)  
 Date: February 19, 2009 SEATTLE, WA  
 (City and State)

See reverse for important information



Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to one of the offices listed in 8 CFR 241.16(a). Specific addresses on locations for surrender can be obtained from your local DHS office or over the internet at http://www.ice.gov/about/dro/contact.htm. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Act.

Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

By: [Redacted Signature] (k)(2),(b)(6),(b)(7)c

X [Handwritten Signature] (Signature of Respondent)

Date: 2/20/09

Certificate of Service

This Notice To Appear was served on the respondent by me on 2/20/2009 in the following manner and in compliance with section 239(a)(1)(F) of the Act.

- [X] in person [ ] by certified mail, returned receipt requested [ ] by regular mail
[ ] Attached is a credible fear worksheet.
[ ] Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the ENGLISH and of the consequences of failure to appear as provided in section 240(b)(7) of the Act. [Redacted Signature] ENFORCEMENT AGENT

Date: February 24, 2009

**CHECKLIST FOR NTA REVIEW**

Alien name: Torgut Tarhan A-number: 88 737 523

Reviewing attorney: Mr. Thomas Molloy

Location: Tacoma

NTA routed for filing       NTA rejected for filing

NTA charge(s) legally sufficient

NTA allegations legally sufficient

Proper service of the NTA

Alienage established by clear and convincing evidence (no issue as to U.S. citizenship)

Certified record of conviction available or has been ordered

Compliance with INA § 239(e) (arrest at sensitive location, per VAWA)

REMARKS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Bond HANG  
ON  
2/25/09!

Edition of February 3, 2009

Turgut TARHAN

Event No: (k)(2),(b)(7)e

File No: A088 737 523

Date: 02/19/2009

FIN#: 1059674598

1623 EAST J STREET SUITE 5  
TACOMA, WASHINGTON 98421

Pursuant to the authority contained in section 236 of the Immigration and Nationality Act and part 236 of title 8, Code of Federal Regulations, I have determined that pending a final determination by the immigration judge in your case, and in the event you are ordered removed from the United States, until you are taken into custody for removal, you shall be:

- detained in the custody of the Department of Homeland Security.
- released under bond in the amount of \$ \_\_\_\_\_
- released on your own recognizance.

- You may request a review of this determination by an immigration judge.
- You may not request a review of this determination by an immigration judge because the Immigration and Nationality Act prohibits your release from custody.

(k)(2),(b)(6),(b)(7)c

(k)(2),(b)(6),(b)(7)c

(Signature of authorized officer)

Supv. Detention Deportation Officer

(Title of authorized officer)

SEATTLE, WA

(Office location)

- I do  do not request a redetermination of this custody decision by an immigration judge.
- I acknowledge receipt of this notification.

*[Handwritten Signature]*  
\_\_\_\_\_  
(Signature of respondent)

02-20-2009  
\_\_\_\_\_  
(Date)

**RESULT OF CUSTODY REDETERMINATION**

On \_\_\_\_\_, custody status/conditions for release were reconsidered by:

- Immigration Judge
- DHS Official
- Board of Immigration Appeals

The results of the redetermination/reconsideration are:

- No change - Original determination upheld.
- Release - Order of Recognizance
- Detain in custody of this Service.
- Release - Personal Recognizance
- Bond amount reset to \_\_\_\_\_
- Other: \_\_\_\_\_

\_\_\_\_\_  
(Signature of officer)

File No. A088 737 523

Event No: (k)(2),(b)(7)e

FINS #: 1059674598

Date: February 19, 2009

To any officer delegated authority pursuant to Section 287 of the Immigration and Nationality Act:

From evidence submitted to me, it appears that: Turgut TARHAN

(Full name of alien)

an alien who entered the United States at or near Seattle, Wa on July 3, 2003 (Port)

is within the country in violation of the immigration laws and is therefore liable to being taken into custody as authorized by section 236 of the Immigration and Nationality Act.

By virtue of the authority vested in me by the immigration laws of the United States and the regulations issued pursuant thereto, I command you to take the above-named alien into custody for proceedings in accordance with the applicable provisions of the immigration laws and regulations.

(k)(2),(b)(6),(b)(7)c

(Print name of Designated Immigration Officer)

Supv. Detention Deportation Officer

(Title)

Certificate of Service

Served by me at SEATTLE, WA on February 19, 2009 at 12:00 AM I certify that following such service, the alien was advised concerning his or her right to counsel and was furnished a copy of this warrant.

(k)(2),(b)(6),(b)(7)c

IMMIGRATION ENFORCEMENT AGENT

(Title of officer serving warrant)

**U.S. Department of Homeland Security**  
Immigration and Customs Enforcement  
12500 Tukwila International Blvd.  
Tukwila, WA 98168

**CONSULAR NOTIFICATION REQUEST FORM**

As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country's consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel, and may contact your family and visit you in detention, among other things. If you want us to notify your country's consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want us to notify your country's consular officials?

Yes (Si)

No



*Please return this form to the above-referenced mailing address*

Como no es ciudadano de los Estados Unidos, al ser arrestado o detenido tiene derecho a pedirnos que notifiemos a los representantes consulares de su pais aqui en los Estados Unidos, si lo desea. Entre otras cosas, un funcionario consular de su pais puede ayudarle a obtener asesoramiento legal, ponerse en contacto con su familia y visitarlo en la carcel. Si usted desea que notifiemos a los funcionarios consulares de su pais, puede solicitarlo ahora o en cualquier oportunidad en el futuro. Despues de que se haya notificado a los funcionarios consulares de su pais, ellos podrial llamarlo o visitarle. De sea que notifiemos a los funcionarios consulares de su pais?

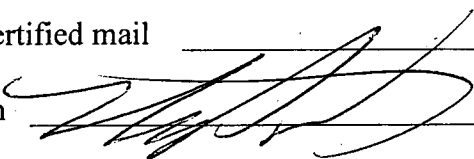
Yes (Si)

No

*Por favor, mande esta forma a la direction arriba.*

Served by certified mail

Served in person



# DOCKET CLERK WORKSHEET - BAILEY

(Updated: 08/04/2006)

FILE NUMBER: A 88737523 DATE: 7-6-11

G-56 - CALL-IN DATE: \_\_\_\_\_

REASON: \_\_\_\_\_

SEND COPY TO: ALIEN / ATTORNEY; OR: \_\_\_\_\_

EARM - ENTRY: YES / NO CAT: \_\_\_\_\_ CALL-UP DATE: \_\_\_\_\_

IHR/DECISION CODE: \_\_\_\_\_ DATE: \_\_\_\_\_ VALID TIL: \_\_\_\_\_

EARM COMMENTS: \_\_\_\_\_ | EARM UPDATED

(INITIALS): \_\_\_\_\_ | BY

: INPUT EARM \_\_\_\_\_

MAIL / FILE:

I-205

Check box: IJ BLA DD

I-294

I-166 ALIEN / ATTORNEY

I-340

I-296

BONY (2),(b)(6),(b)(7) CANCEL (I-391 & INST. LTR.)

JUSTIFICATION

INITIAL BREACH (I-323 & I-290B)

FINAL BREACH

## CLOSE CASE (DEPART CLEARED STATUS):

- A PROCEEDINGS TERMINATED
- B RELIEF GRANTED
- E CHARGING DOCUMENT CANCELED
- L LEGALIZATION GRANTED
- P POLICY CLOSURE
- T TRANSFERRED
- X SECTION 250 REMOVAL

- Z SAW GRANTED
- 0 WITHDRAWAL PERMITTED
- 3 VD CONFIRMED
- 6 DEPORTED/REMOVED
- 7 DIED
- 8 EXCLUDED/REMOVED
- 9 VR WITNESSED

## SEND FILE TO:

- \_\_\_\_ RECORDS
- \_\_\_\_ PENDING HEARING (DP061)
- \_\_\_\_ ADJUDICATIONS
- \_\_\_\_ LITIGATION
- \_\_\_\_ FUG TEAM (SEA) (YAK) (POO)
- \_\_\_\_ YAKIMA - LOBATO (Y01)
- \_\_\_\_ D&R MAIN
- \_\_\_\_ CALL-UP (DP033)
- \_\_\_\_ NRC
- \_\_\_\_ APPEAL PENDING
- \_\_\_\_ HAMILTON

*Jth shelf*

FILE

(k)(2),(b)(6),(b)(7)c

**Chief Counsel**

(k)(2),(b)(6),(b)(7)c

**Deputy Chief Counsel**

(k)(2),(b)(6),(b)(7)c

**Assistant Chief Counsel**

**1000 Second Ave.** (k)(2),(b)(6),(b)(7)c

**Seattle, W A 98104**

**(206) 553-** (b)(2),(b)(6),(b)(7)c

**Attorneys for the Department  
Of Homeland Security**

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
BOARD OF IMMIGRATION APPEALS**

**In the Matter of:**

Turgut Tarhan

**In Removal Proceedings**

**File No.: A88 737 523**

**GOVERNMENT REPLY BRIEF**

## ISSUE ON APPEAL

The Respondent appeals the decision of the Immigration Judge to continue the case and to deny voluntary departure as a matter of discretion.

## SUMMARY OF THE ARGUMENT

The Department of Homeland Security (DHS) requests the Board of Immigration Appeals summarily affirm the decision of the Immigration Judge.

## SUMMARY OF THE CASE

The Department of Homeland Security (DHS) submits that the summary of the case by the Immigration Judge was correct in all material aspects; that, assuming any errors do exist in the decision they are harmless or immaterial.

## FACTS

~~The Respondent admitted and conceded that he was removable and asked for a general continuance in hopes of Congress passing a change in the law. The Respondent also wished to remain while his rape conviction appeal was resolved. The Respondent was found guilty of rape by a jury.~~

The government opposed voluntary departure based upon the jury verdict of guilty of rape. The government argued that this constituted a serious adverse fact and the Respondent was not deserving of voluntary departure. The Immigration Judge denied voluntary departure in the exercise of discretion.

## ARGUMENT

### Continuance

Generally after the commencement of the hearing, the Immigration Judge may grant a continuance for good cause shown. An Immigration Judge may not grant continuances which unduly delay removal proceedings in contravention of prompt hearing requirement. Matter of Silva-Rodriguez, 20 I&N Dec. 448 (BIA 1992) (error to grant one-year continuance to show rehabilitation for 212(c) relief); Matter of Garcia-Reyes, 19 I&N Dec. 830.28 (BIA 1988) (error to grant 6-month continuance to show rehabilitation when no relief available).

Bare, unsupported allegations are insufficient; the movant must specifically articulate the particular facts involved, that the denial of the continuance caused the Respondent actual prejudice and harm and materially affected the outcome of the case. Matter of Sibrun, 18 I&N Dec. 354, 356 (BIA 1983); *accord*, Matter of Perez-Andrade, 19 I&N Dec. 433 (BIA 1987). Diligence and good faith showing required where motion based on claimed lack of preparation. It must also be shown that any additional evidence to be offered at a continued hearing will be probative, noncumulative, and significantly favorable to the movant. Matter of Sibrun, *supra*

Good cause is not shown by requesting a continuance to await the results of a collateral event, that may occur ear some indefinite time in the future and the outcome of the event may or may not be favorable to the Respondent. Matter of Perez-Andrade, 19 I&N Dec. 433 (BIA 1987).

Generally, an alien may be granted a continuance if seeking to adjust status on the basis of a simultaneously filed but unadjudicated visa petition, at least where *prima facie* eligible for adjustment of status based on approval of such petition. Matter of Garcia, 16 I&N Dec. 653 (BIA 1978).

#### Voluntary Departure

The statutory language in §240B(b)(1), "The Attorney General may permit . . .", establishes that voluntary departure is discretionary. "[D]iscretion remains a required element of voluntary departure under both § 240B(a) and § 240B(b) of the Act." Matter of Arguelles, 22 I&N Dec. 811 (BIA 1999) at 8. The BIA has affirmed the continued applicability of the discretionary standards it has previously articulated in Matter of Gamboa, 14 I&N Dec. 244 (BIA 1972) to include the nature and underlying circumstances of the deportation ground at issue; additional violations of the immigration laws; the existence, seriousness, and recency of any criminal record; and other evidence of bad character or the undesirability of the applicant as a permanent resident. . . . [Discretion may be favorably exercised in the face of adverse factors where there are compensating elements such as long residence here, close family ties in the United States, or humanitarian needs. Arguelles, 22 I&N Dec. 811 (BIA 1999)

The Respondent having been found guilty beyond a reasonable doubt of the crime of rape is strong evidence of bad character. The Respondent lacked any countervailing equities.

**CONCLUSION**

**The Department of Homeland Security (DHS) submits that the decision of the Immigration Judge was correct in all material aspects; that, assuming any errors do exist in the decision they are harmless or immaterial. The government requests this decision be summarily affirmed.**

**Respectfully submitted,**

(k)(2),(b)(6),(b)(7)c

**Assistant Chief Counsel  
Seattle, WA**

**Certificate of Mailing:**

**I hereby certify and declare under penalty of perjury that, on July <sup>30</sup>~~29~~, 2009, I caused to be served the above document by placing a true copy thereof in a sealed envelope, with postage thereon to be fully prepaid by normal government process and causing the same to be mailed by first class mail to the person at the address set forth below:**

(k)(2),(b)(6),(b)(7)c

**Seattle, WA 98115**

(k)(2),(b)(6),(b)(7)c

**Assistant Chief Counsel  
Office of Chief Counsel  
Immigration and Customs Enforcement  
1000 Second Avenue, Suite 2900  
Seattle, WA 98104**

(k)(2),(b)(6),(b)(7)c

**Chief Counsel**

(k)(2),(b)(6),(b)(7)c

**Deputy Chief Counsel**

(k)(2),(b)(6),(b)(7)c

**Assistant Chief Counsel**

**1000 Second Ave., Suite** (b)(6),(b)(7)c

**Seattle, W A 98104**

**(206) 553** (b)(2),(b)(6),(b)(7)c

**Attorneys for the Department  
Of Homeland Security**

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
BOARD OF IMMIGRATION APPEALS**

**In the Matter of:**

**Jose Fernando Lombardo**

**In Removal Proceedings**

**File No.: A99 578 278**

**Government Brief**

**ISSUE ON APPEAL:**

**The alien has appealed the denial of cancellation of removal.**

**SUMMARY OF THE ARGUMENT:**

**The Department of Homeland Security (DHS) requests the Board of Immigration Appeals summarily affirm the decision of the Immigration Judge.**

**STATEMENT OF THE CASE:**

**The Department of Homeland Security (DHS) submits that the summary of the case by the Immigration Judge was correct in all material aspects; that, assuming any errors do exist in the decision they are harmless or immaterial.**

**FACTS:**

**The Respondent seeks cancellation based upon a two year old daughter. The daughter has no physical or mental problems. The daughter lives with her mother, not the Respondent. The Respondent is diligent in his efforts to be a good father with frequent visits and financial support. The child would remain in the United States with the mother should the Respondent be required to depart.**

**ARGUMENT:**

**Authority**

**The authority for Cancellation of Removal is found at INA § 240A(b)(1) and 8 CFR §§ 240.20, 240.21. Cancellation of Removal was enacted as part of IIRIRA. It substantially changed the former relief known as Suspension of Deportation. It applies to aliens in Removal proceedings only.**

**Eligibility**

**In order to be eligible for Cancellation of Removal, an alien must be physically present in the United States for the 10 years immediately preceding the application for cancellation, must be a person of good moral character during those 10 years; must not have been convicted of certain enumerated crimes; and must show that his or her removal would cause exceptional and extremely unusual hardship to the alien's spouse, child or parent who is a U.S. citizen or LPR.**

Even though an alien may meet all four factors above, the alien must also show that he/she is entitled to a favorable exercise of discretion.

### Physical Presence

A cancellation applicant must establish that he has accrued 10 years of continuous physical presence in the United States. Pursuant to statute, an alien's physical presence accrual stops when the alien is served the NTA or when an alien commits an offense under 212(a)(2) which makes him inadmissible or removable, whichever is earlier. INA § 240A(d)(1). An alien who serves 24 months active duty in the US armed forces and receives an honorable discharge is exempt from the physical presence requirements. See Matter of Campos-Torres, 22 I&N Dec. 1289 (BIA 2000) (holding that the 240(d)(1) stop-time rule applies only to crimes defined in section 212 regardless of whether they make an alien inadmissible under section 212 or removable under section 237. The stop-time rule does not apply to section 237 crimes.) See Matter of Mendoza-Sandino, 22 I&N Dec. 1236 (BIA 2000) (holding that the physical presence accrual time does not begin again after the time has stopped. Essentially, the clock does not begin again.)

An alien will not ordinarily break his continuous physical presence from the United States UNLESS he departs for more than 90 days in a row or for 180 days in the aggregate. INA § 240A(d)(2). However, the Board has held that shorter absences from the U.S. may also discontinue an alien's physical presence. Specifically, in Matter of Romalez, 23 I&N Dec. 423 (BIA 2002), the BIA held that it would be contrary to legislative intent and inconsistent with longstanding immigration law principles to allow an alien who has previously been ordered deported, removed, or allowed to voluntarily depart the U.S. under threat of deportation, to continue to accrue physical presence for purposes of Cancellation eligibility. Thus, any of these three events discontinue an alien's period of physical presence.

### Good Moral Character

An alien must have good moral character for all 10 years prior to his application. See INA § 101(f), in particular the "catch-all" statement: "The fact that any person is not within any of the foregoing classes shall not preclude a finding that for other reasons such person is or was not of good moral character." INA § 101(f).

### Criminal convictions

In the Cancellation statute, at INA § 240A(b)(1)(C), Congress required an applicant to demonstrate that he "has not been convicted of an offense under 212(a)(2), 237(a)(2), or 237(a)(3) . . . ." Thus an alien who has been determined to be inadmissible or deportable from the United States bears the burden of demonstrating that these "criminal bars" do not apply.

Immigration hearings consist of both a removability phase and a relief phase, so too does the INA. In implementing the Act, Congress has specified numerous grounds of inadmissibility and deportability. An alien subject to these grounds may be brought before the Immigration Court for a determination of removability. In its wisdom, Congress has also provided certain forms of relief from removal, including Cancellation of Removal. Thus, once the Government has successfully established that an alien is removable, the alien must establish that he is eligible for the relief sought. See 8 C.F.R. § 240.8(d) (2002). The Board expressly distinguished this criminal bar provision of the Cancellation statute from the time-stop rule of 240A(d)(1), which it held did require an alien to be inadmissible for the criminal offense which discontinued the alien's accrual of continuous physical presence. See Matter of Campos-Torres, 22 I&N Dec. 1289, 1293-94 (BIA 2000) (A firearms case in which the Board "note[d] that Congress referred to grounds of inadmissibility and deportability several times throughout section 240A of the Act. For instance 240A(b)(1)(C) refers to sections 212(a)(2), 237(a)(2), and 237(a)(3) of the Act, stating that nonpermanent residents who have been *convicted of an offense under any of these provisions* are ineligible for cancellation of removal.") (emphasis supplied).

An alien convicted of a crime involving moral turpitude is "convicted of an offense under" INA section 237(a)(2), 8 U.S.C. § 1227(a)(2)(2006), and is therefore ineligible for cancellation of removal under INA section 240A(b)(1)(C), regardless of his status as an arriving alien or his eligibility for a petty offense exception under INA section 212(a)(2)(A)(ii)(II), 8 U.S.C. § 1182(a)(2)(A)(ii)(II) (2006). See Matter of Gabriel Almanza-Arenas, 24 I&N Dec. 771 (BIA 2009)

### Exceptional and Extremely Unusual Hardship

Cancellation applicants must demonstrate that their qualifying relative(s) would suffer exceptional and extremely unusual deportation in the event of their deportation. This is an increased hardship standard from Suspension of Deportation. In Matter of Monreal, 23 I&N Dec. 56 (BIA 2001), the Board addressed this new standard and held that an applicant must demonstrate that his or her spouse, child or parent would suffer hardship that is substantially beyond that which would ordinarily be expected to result from the alien's deportation. The same factors set forth in Matter of Anderson, 16 I&N Dec. 596 (BIA 1978) apply to cancellation of removal cases; however they must be weighed according to the higher standard required for cancellation.

The Anderson Factors include: Respondent's age at time of entry and at time of application, family ties in the US and abroad, length of residence in the US, health of the Respondent and of qualifying relatives, country conditions in native country including economical and political, possible adjustment by other means, community involvement and immigration history.

As a practical guide, the BIA in Monreal articulated facts that may merit Cancellation:

- Respondent whose elderly parents are in the US and solely dependent on Respondent.
- Respondent who has qualifying relative with serious health issues.
- Respondent who has qualifying relative with special needs in school.

Subsequently, the Board decided Matter of Andazola, 23 I&N Dec. 319 (BIA 2002), in which the heightened nature of the hardship standard was confirmed. This case involved a single mother of 6- and 11-year-old U.S. citizen children, with stable employment, health insurance, a retirement plan and a variety of property interests, including cash, a home, and two cars. This woman suffered from asthma, had only a six-grade education, and claimed that she had no family in her native Mexico that might be able to assist her were she deported there. In denying the Respondent's Cancellation application and sustaining the Service appeal in this case, noted "that the relative level of hardship a person might suffer cannot be considered entirely in a vacuum" but must instead be considered in relation to the hardship others might face. Id. at 323. In considering the Respondent's case, the Board reasoned that "economic detriment alone is insufficient to support even a finding of extreme hardship," id. (referencing the suspension case, Matter of Pilch, 21 I&N Dec. 627 (BIA 1996)), and that diminished educational opportunities in Mexico might be said to apply in nearly every Cancellation case, but is insufficient to support a Cancellation grant. See id. at 323 n.1.

More recently, the Board decided Matter of Recinas, 23 I&N Dec. 467 (BIA 2002), finding that the respondent had established exceptionally and extremely unusual hardship. In this case, the respondent was a single mother of 6 children, 4 of whom (aged 12, 11, 8, and 5) were U.S. citizen children, with no family remaining in her native Mexico, but with 2 LPR parents and 5 U.S. citizen siblings all present in the U.S. The respondent also owned an automobile and a small business, with 2 employees. The Board found these facts distinguishable from Andazola and Monreal, particularly the absence of any family ties in Mexico, the absence of support from respondent's ex-husband, the success of her new business, her children's difficult with Spanish (never having visited Mexico), the absence of an alternate means of immigrating to the U.S., in light of visa processing times for Mexicans, the lawful presence of her relatives in the U.S., and the likely inability of the respondent to be able to care for her 6 children alone in Mexico.

Nevertheless, the Board made clear that it considered "this case to be on the outer limit of the narrow spectrum of cases in which the exceptional and extremely unusual hardship standard will be met," Recinas at 470, and "emphasize[d], in conclusion, that this case cannot be read in isolation from Monreal and Andazola. Those cases remain our seminal interpretations of the meaning of 'exceptional and extremely unusual hardship' in section 240A(b)(1)(D) of the Act." Id. at 472-73.

#### Burden of Proof

**In Matter of Gabriel Almanza-Arenas, 24 I&N Dec. 771 (BIA 2009) held that an alien who files his application for relief from removal after May 11, 2005, the effective date of the REAL ID Act of 2005, has the burden to prove that he satisfies the applicable eligibility requirements and merits a favorable exercise of discretion under INA section 240(c)(4)(A), 8 U.S.C. § 1229a(c)(4)(A) (2006), and must provide corroborating evidence requested by the immigration judge pursuant to INA section 240(c)(4)(B), unless he cannot reasonably obtain it.**

**An alien whose application for cancellation of removal under INA section 240A(b)(1), 8 U.S.C. § 1229b(b)(1) (2006), is governed by the provisions of the REAL ID Act, and who has been convicted of an offense under a divisible criminal statute, has the burden to establish that the conviction was not pursuant to any part of the statute that reaches conduct involving moral turpitude, including the burden to produce corroborating conviction documents, such as a transcript of the criminal proceedings, as reasonably requested by the immigration judge. *Sandoval-Lua v. Gonzales*, 499 F.3d 1121 (9th Cir. 2007), distinguished.**

#### **Ineligible for Cancellation**

**The following aliens are ineligible for cancellation: Crewmen (who entered post-1964); Non-immigrant exchange aliens who fail to meet certain requirements; An alien inadmissible on security and related grounds; Persecutors; Aliens previously granted Cancellation, Suspension or 212(c) relief.**

#### **CONCLUSION:**

**The decision of the Immigration Judge should be sustained.**

**Respectfully submitted,**

(k)(2),(b)(6),(b)(7)c

**Assistant Chief Counsel**

**Proof of Service:**

**I hereby certify and declare under penalty of perjury that, on July 29, 2009, I caused to be served the above document by placing a true copy thereof in a sealed envelope, with postage thereon to be fully prepaid by normal government process and causing the same to be mailed by first class mail to the person at the address set forth below:**

**Ojeda Law Office, 28530 NE Roney Rd, Duvall, WA 98019**

(k)(2),(b)(6),(b)(7)c

**Assistant Chief Counsel  
Seattle, WA**

Attorney Worksheet

File #:

District:

Name:

Lang:

Nationality:

IJ:

ADC:

Rep:

Notes:

DATE:

*Rec'd  
alien files appeal*

*alien's state appeal  
pending  
of affirmed*

*Place detainee notify  
TA to get  
BIA decision as  
attained*

FOIA—DO NOT RELEASE NOTES IN THIS SECTION WITHOUT PERMISSION OF DISTRICT COUNSEL

LPR  Sensitive  Pre-IIRIRA  NACARA  Agg.  Criminal

Prints sent: / /  Prints returned: / / Result: \_\_\_\_\_

District Options:  TPS

Exhibits: \_\_\_\_\_

Proceedings  
 Removal  Bond  Master  Detained

Institutional at:

Other:

Pleadings:

R admits:

R denies:

concedes /  denies removable

R /  Court designates \_\_\_\_\_

no fear of return stated by R

Case cont. to: / / @ \_\_\_\_\_ to:

seek attorney  prepare

Next hearing:  Bond  Master  Merits

Relief sought:

Due dates:

- VD / /
- Suspension / /
- Adjustment / /
- 240A(a) / /
- 240A(b) / /
- Asylum/WD / /
- Torture Convention / /

other: \_\_\_\_\_ / /

Service response brief due: / /

Order(s):

Removed  in absentia

Terminated by:  Court  INS

Granted /  Denied

VD Granted: / /  w/safeguards

IJ's decision pending

Admin. Closed for: \_\_\_\_\_

Appeal:

Waived by:  respondent  INS  both

Reserved by:  respondent  INS  both

Appeals due: respondent / /  
Service / /

Bond:

no reduction  release OR

reset to: \$ \_\_\_\_\_

**ATTORNEY WORKSHEET**

LAW ENFORCEMENT SENSITIVE BUT UNCLASSIFIED

File #: A88737523 Hearing Date: [REDACTED]

Lang:

Nationality: Turkey

Name:

District: Seattle

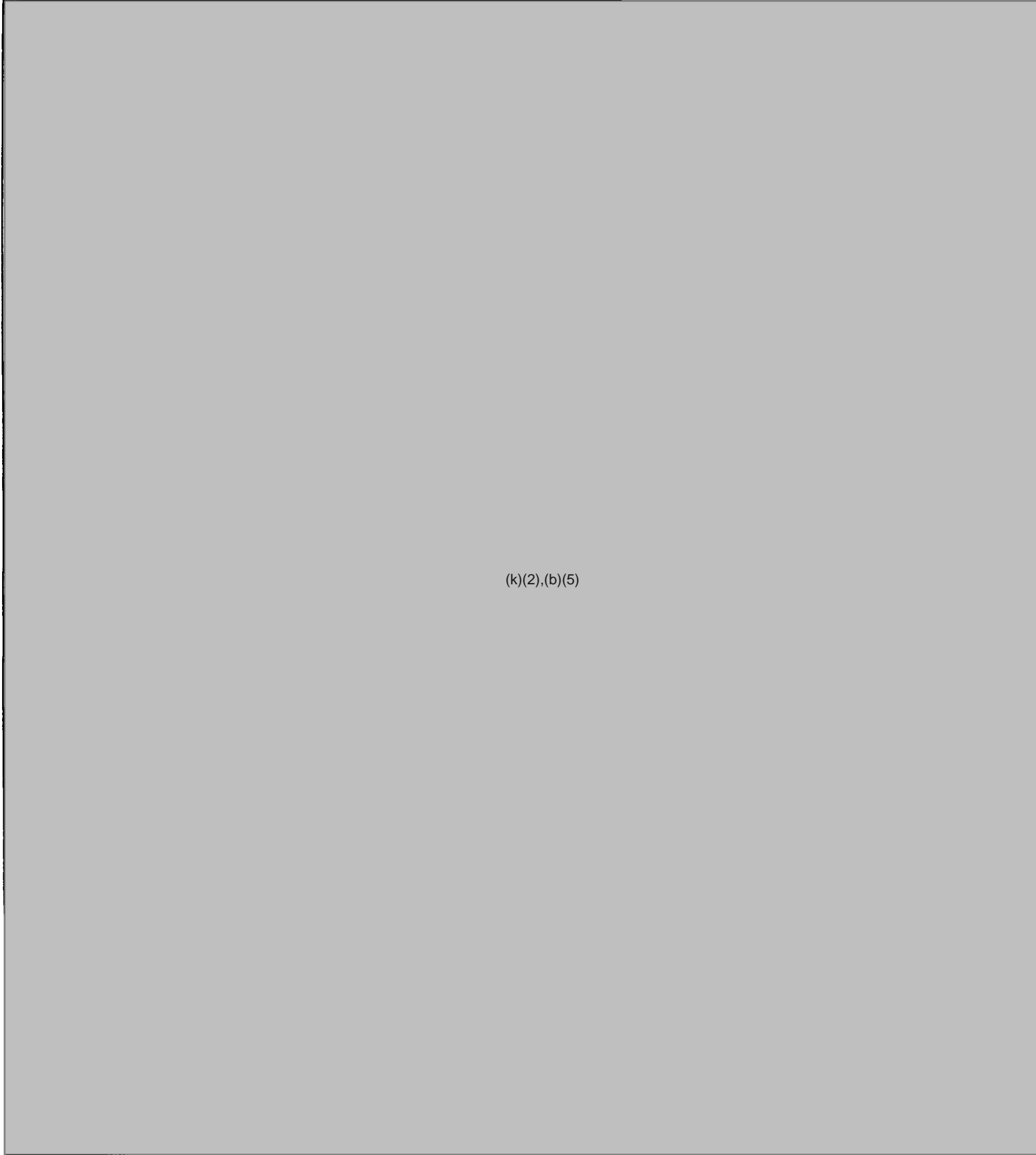
IJ:

Govt. Atty:

Rep:

AKA: TARHAN, TURGUT

EVENT NOTES:	PROCEEDINGS
--------------	-------------



(k)(2),(b)(5)

File Routing:  D&R  Adj.  Inv.  File Room  Records  Other  COV from:

*Appeal les to 6-4-09*  
JUL 2012 FOIA 16199-000 page 1 of 1






**U.S. DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION AND CUSTOMS ENFORCEMENT  
CERTIFICATION**

I HEREBY CERTIFY that the annexed documents are the originals or copies thereof from the records of the Department of Homeland Security, or its predecessor the Immigration and Naturalization Service, relating to the person described in the name line of the documents and whose file number is listed therein and that the Attorney General or the Secretary of the Department of Homeland Security is the legal custodian by virtue of Section 103 of the Immigration and Nat

(k)(2),(b)(6),(b)(7)c

Assistant Chief Counsel  
Department of Homeland Security  
Seattle, Washington

Family Name (CAFS) <b>TARHAN, Turgut</b>		First	Middle	Sex <b>M</b>	Hair <b>BRO</b>	Eyes <b>BRO</b>	Complexion <b>MED</b>
Country of Citizenship <b>TURKEY</b>	Passport Number and Country of Issue <b>A088737523</b>		Case No. <b>(k)(2),(b)(7)e</b>	Height <b>55</b>	Weight <b>125</b>	Occupation <b>STUDENT</b>	
U.S. Address <b>1623 EAST J STREET SUITE 5 TACOMA, WASHINGTON, 98421.</b>				Scars and Marks <b>See Narrative</b>			
Date, Place, Time, and Manner of Last Entry <b>7/3/2003, Unknown Time, SET, #1</b>			Passenger Boarded at		FBI Number <b>(k)(2),(b)(7)e</b>		
Number, Street, City, Province (State) and Country of Permanent Residence <b>BALTALIMANI CAD. HISARPAZAS APT# 31/10 RUMELIHISARI ISTANBUL, TURKEY</b>				<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated			
Date of Birth <b>08/27/1984</b>	Age <b>24</b>	Date of Action <b>02/17/2009</b>	Location Code <b>SEA/SEA</b>	Method of Location/Apprehension <b>(k)(2),(b)(7)e</b>			
City, Province (State) and Country of Birth <b>TURKEY</b>		AR <input checked="" type="checkbox"/>	Form: (Type and No.) Lined <input type="checkbox"/> Not Lined <input type="checkbox"/>	Arrest Location <b>SEATTLE, WA</b>	Date/Time <b>02/17/2009</b>		
NIV Issuing Post and NIV Number		Social Security Account Name		Status When Found <b>IN INSTITUTION</b>			
Date Visa Issued		Social Security Number		Length of Time Illegally in U.S. <b>3 MONTH TO 1 YEAR</b>			
Immigration Record <b>POSITIVE - See Narrative</b>			Criminal Record <b>See Narrative</b>				
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)				Number and Nationality of Minor Children <b>NONE</b>			
Father's Name, Nationality, and Address, if Known <b>See Father info in Narrative</b>			Mother's Present and Maiden Names, Nationality, and Address, if Known <b>Nationality: TURKEY (k)(2),(b)(6),(b)(7)c ISTANBUL, Turkey</b>				
Mortgage Due/Property in U.S. Not in Immediate Possession <b>None Claimed</b>		Fingerprints: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checked <b>See Narrative (k)(2),(b)(7)e</b>	Country Code: <b>(k)(2),(b)(7)c</b>			
Name and Address of (Last/Current) U.S. Employer		Type of Employment	Salary	Employed from to			
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of his entry, attempted entry, or any other entry; and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) <b>FINS: 1059674598</b>							
				Left Index Fingerprint		Right Index Fingerprint	
							
SCARS, MARKS, AND TATTOOS: SCAR CHEST - BURN SCAR HAND, RIGHT - INDEX FINGER							
FATHER NAME & ADDRESS ... (CONTINUED ON I-831)							
Alien has been advised of communication privileges <u>2/17/09</u> (k)(2),(b)(6),(b)(7)c (Date/Initials)				Received: (Subject and Documents), (Report of Interview) Officer: (k)(2),(b)(6),(b)(7)c on: February 17, 2009 at 182 Disposition: Warrant of Arrest/N Examine Officer: (k)(2),(b)(6),(b)(7)c (k)(2),(b)(6),(b)(7)c			



Handwritten signature

to R/EJ  
2/27/09 (k)(2),(b)(6),(b)(7)c

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b>	Date <b>02/17/2009</b>
Event No: (k)(2),(b)(7)e		

Nationality: **TURKEY TARHAN, Tugrul**  
**ISTANBUL, TURKEY**

**RECORDS CHECKED**

(k)(2),(b)(7)e

**Record of Deportable/Excludable Alien:**

On 02/17/2009, IEA (k)(2),(b)(6),(b)(7)c encountered subject **TARHAN, Turgut** DOB 08/27/1984, while performing CAP duties at the King County Jail, Seattle, WA.

During interview, subject **TARHAN** freely admitted to being a citizen and national of Turkey. Subject stated that he last entered the United States on or about July 3, 2003 at SBT POB, Seattle, WA with a valid F1 visa.

Subject states that he is not married and has no children. Subject has a sister (k)(2),(b)(6),(b)(7)c residing in the United States at (k)(2),(b)(6),(b)(7)c Lynnwood, WA. Subject states that he was not employed at the time of his arrest.

**Immigration History:**

A review of available service databases shows the following immigration history:

- 09/05/2002 - Subject entered the United States as an F1 student and departed on 06/13/2003.
- 07/03/2003 - Subject entered the United States as an F1 student (I-94 # 592745744 10)
- 12/08/2008 - Subject's F1 status terminated in SEVIS due to Failure to Enroll.

**Criminal History:**

- 06/03/2007 - Subject was being held at the King County Jail, Seattle, WA for an arrest for Rape 2.
- 06/10/2004 - Subject arrested by Seattle PD on the charge of Harassment. No charges filed.
- 08/01/2008 - Subject arrested by Seattle, PD on the charge of Rape 2. Convicted of Rape 3 and sentenced to 10 months and 36 to 48 months of community custody.
- 09/04/2008 - Subject filed an appeal of his conviction in King County Superior Court.

**Disposition:**

Subject claims no health problems or injuries. Subject is missing the fingernail on his right, ... (CONTINUED ON NEXT PAGE)

Signature  (k)(2),(b)(6),(b)(7)c	Title  <b>IMMIGRATION ENFORCEMENT AGENT</b>
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2  
3

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b> Event No: (k)(2),(b)(7)e	Date <b>02/17/2009</b>
<p>middle finger from an old injury.</p> <p>Subject expressed no fear of being returned to his country of origin.</p> <p>Subject was advised of his rights as per form I-826 attached, was provided with a list of free legal service providers and explained his consular notification rights as prescribed by 8 CFR 236.1 (e).</p> <p>Subject entered the United States with a valid F1 nonimmigrant visa on September 22, 2004. On December, 08, 2008 subject's status was terminated in SEVIS due to Failure to Enroll. In such, subject is in violation of section 237 (a) (1) (C) (i) of the INA as amended.</p> <p>Subject processed as an NTA.</p>		
Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>	

Handwritten marks: a checkmark and the number 4.






**U.S. DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION AND CUSTOMS ENFORCEMENT  
CERTIFICATION**

I HEREBY CERTIFY that the annexed documents are the originals or copies thereof from the records of the Department of Homeland Security, or its predecessor the Immigration and Naturalization Service, relating to the person described in the name line of the documents and whose file number is listed therein and that the Attorney General or the Secretary of the Department of Homeland Security is the legal custodian by virtue of Section 103 of the Immigration and Nat

(k)(2),(b)(6),(b)(7)c

Assistant Chief Counsel  
Department of Homeland Security  
Seattle, Washington

Family Name (CAPS) <b>TARHAN, Turgut</b>		First	Middle	Sex <b>M</b>	Hair <b>BRO</b>	Eyes <b>BRO</b>	Complexion <b>MED</b>
Country of Citizenship <b>TURKEY</b>	Passport Number and Country of Issue	Case No. (k)(2),(b)(7)e <b>A088737533</b>		Height <b>65</b>	Weight <b>125</b>	Occupation <b>STUDENT</b>	
U.S. Address <b>1623 EAST J STREET SUITS 5 TACOMA, WASHINGTON, 98421.</b>				Scars and Marks <b>See Narrative</b>			
Date, Place, Time, and Manner of Last Entry <b>7/3/2003, Unknown Time, SEA, F1</b>			Passenger Boarded at:		FBI Number <b>(k)(2),(b)(7)e</b>		
Number, Street, City, Province (State) and Country of Permanent Residence <b>BALTALIMANI CAD. HISARPAZAS APTE 31/10 RUMELIHISARI ISTANBUL, TURKEY</b>				<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Separated			
Date of Birth <b>08/27/1984</b>	Age: <b>24</b>	Date of Action <b>02/17/2009</b>	Location Code <b>SEA/SEA</b>	Method of Location/Apprehension <b>(k)(2),(b)(7)e</b>			
City, Province (State) and Country of Birth <b>TURKEY</b>		AR <input checked="" type="checkbox"/>	Form: (Type and No.) <input type="checkbox"/> Lited <input type="checkbox"/> Not Lited <input type="checkbox"/>	Ad/Nor <b>SEATTLE, WA</b>		Date/Time <b>02/17/2009</b>	
NIV Issuing Pool and NIV Number		Social Security Account Name		By <b>MATTHEW NELSON</b>			
Date Visa Issued		Social Security Number		Status at Entry <b>Student</b>		Status When Found <b>IN INSTITUTION</b>	
Investigation Record <b>POSITIVE - See Narrative</b>				Criminal Record <b>See Narrative</b>			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)						Number and Nationality of Minor Children <b>NONE</b>	
Father's Name, Nationality, and Address (if known) <b>See Father Info in Narrative</b>				Mother's Present and Maiden Name <b>Nationality: TURKEY (k)(2),(b)(6),(b)(7)c - ISTANBUL, TURKEY</b>			
Mortgage Due Property in U.S. Not in Immediate Possession <b>None Claimed</b>		Fingerprints? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	System Check <b>See Narrative (k)(2),(b)(7)e</b>	Charge Code World <b>(k)(2),(b)(7)e</b>			
Name and Address of (Last/Current) U.S. Employer			Type of Employment	Salary	Employed from to <b>Hi</b>		
Narrative (Outline particular under which alien was located/aprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry; and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) <b>FENS: 1059674598</b> <b>Left Index fingerprint</b> <b>Right Index fingerprint</b>							
							
SCARS, MARKS, AND TATTOOS ----- <b>SCAR CHEST - BURN</b> <b>SCAR HAND, RIGHT - INDEX FINGER</b>							
FATHER NAME & ADDRESS ... (CONTINUED ON I-831)							
Alien has been advised of communication privileges: <b>2/17/09</b> (k)(2),(b)(6),(b)(7)c (Date/Initial)				Received: (Subject and Documents) (Report of interview) Officer: (k)(2),(b)(6),(b)(7)c on: <b>February 17, 2009 at 162</b> Disposition: <b>Warrant of Arrest/N</b> (k)(2),(b)(6),(b)(7)c Examine Officer: (k)(2),(b)(6),(b)(7)c			

ADDED

to R/E J  
2/27/09 (k)(2),(b)(6),(b)(7)c

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b>	Date <b>02/17/2009</b>
Event No: (k)(2),(b)(7)e		

Nationality: **TURKEY TARHAN, Tugrul**  
**ISTANBUL, TURKEY**

RECORDS CHECKED

(k)(2),(b)(7)e

**Record of Deportable/Excludable Alien:**

On 02/17/2009, IBA (k)(2),(b)(6),(b)(7)c encountered subject **TARHAN, Turgut** DOB 08/27/1984, while performing CAP duties at the King County Jail, Seattle, WA.

During interview, subject **TARHAN** freely admitted to being a citizen and national of Turkey. Subject stated that he last entered the United States on or about July 3, 2003 at SBT POE, Seattle, WA with a valid F1 visa.

Subject states that he is not married and has no children. Subject has a sister (k)(2),(b)(6),(b)(7)c residing in the United States at (k)(2),(b)(6),(b)(7)c Lynnwood, WA. Subject states that he was not employed at the time of his arrest.

**Immigration History:**

A review of available service databases shows the following immigration history:

- 09/05/2002 - Subject entered the United States as an F1 student and departed on 06/13/2003.
- 07/03/2003 - Subject entered the United States as an F1 student (I-94 # 592745744 10)
- 12/08/2008 - Subject's F1 status terminated in SEVIS due to Failure to Enroll.

**Criminal History:**

- 06/03/2007 - Subject was being held at the King County Jail, Seattle, WA for an arrest for Rape 2.
- 06/10/2004 - Subject arrested by Seattle PD on the charge of Harassment. No charges filed.
- 08/01/2008 - Subject arrested by Seattle, PD on the charge of Rape 2. Convicted of Rape 3 and sentenced to 10 months and 36 to 48 months of community custody.
- 09/04/2008 - Subject filed an appeal of his conviction in King County Superior Court.

**Disposition:**

Subject claims no health problems or injuries. Subject is missing the fingernail on his right... (CONTINUED ON NEXT PAGE)

Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>
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Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b> Event No: (k)(2),(b)(7)e	Date <b>02/17/2009</b>
---------------------------------------	--	---------------------------

middle finger from an old injury.

Subject expressed no fear of being returned to his country of origin.

Subject was advised of his rights as per form I-826 attached, was provided with a list of free legal service providers and explained his consular notification rights as prescribed by 8 CFR 236.1 (e).

Subject entered the United States with a valid F1 nonimmigrant visa on September 22, 2004. On December, 08, 2008 subject's status was terminated in SEVIS due to Failure to Enroll. In such, subject is in violation of section 237 (a) (1) (C) (i) of the INA as amended.

Subject processed as an NTA.

Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>
------------------------------------	---

*[Handwritten signature]*  
*[Handwritten number 4]*






**U.S. DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION AND CUSTOMS ENFORCEMENT  
CERTIFICATION**

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(k)(2),(b)(6),(b)(7)c

**Assistant Chief Counsel  
Department of Homeland Security  
Seattle, Washington**

Family Name (CAPS) <b>TARHAN, Turgut</b>		First	Middle	Sex M	Hair BRN	Eyes BRN	Complexion MED
Country of Citizenship <b>TURKEY</b>	Passport Number and Country of Issue	Case No. <b>(k)(2),(b)(7)e</b> <b>A088737523</b>		Height <b>65</b>	Weight <b>125</b>	Occupation <b>STUDENT</b>	
U.S. Address <b>1623 EAST J STREET SUITE 5 TACOMA, WASHINGTON, 98421.</b>				Scars and Marks <b>See Narrative</b>			
Date, Place, Time, and Manner of Last Entry <b>7/3/2009, Unknown Time, SEA, F1</b>			Passenger Boarded at	FBI Number <b>(k)(2),(b)(7)e</b>		<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated	
Number, Street, City, Province (State) and Country of Permanent Residence <b>BALTALIMANI CAD. HISARPAZAS APT# 31/10 RUMELIHISARI ISTANBUL, TURKEY</b>				Method of Location/Apprehension <b>(k)(2),(b)(7)e</b>			
Date of Birth <b>08/27/1984</b>	Age: <b>24</b>	Date of Action <b>02/17/2009</b>	Location Code <b>SEA/SEA</b>	Adm/Rec <b>SEATTLE, WA</b>		Date/Hour <b>02/17/2009</b>	
City, Province (State) and Country of Birth <b>TURKEY</b>		AR <input checked="" type="checkbox"/>	Form: (Type and No.) Lined <input type="checkbox"/> Not Lined <input type="checkbox"/>	<b>(k)(2),(b)(6),(b)(7)c</b>			
NIV Issuing Post and NIV Number		Social Security Account Name		Status at Entry <b>Student</b>		Status When Found <b>IN INSTITUTION</b>	
Date Visa Issued		Social Security Number		Length of Time Illegally in U.S. <b>1 MONTH TO 1 YEAR</b>			
Immigration Record <b>POSITIVE - See Narrative</b>			Criminal Record <b>See Narrative</b>				
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)						Number and Nationality of Minor Children <b>NONE</b>	
Father's Name, Nationality, and Address, if Known <b>See Father info in Narrative</b>			Mother's Present and Maiden Name, Nationality, and Address, if Known <b>Nationality: TURKEY (k)(2),(b)(6),(b)(7)c ISTANBUL, TURKEY</b>				
Monies Due/Property in U.S.: Not in Immediate Possession <b>None Claimed</b>		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checked <b>See Narrative (k)(2),(b)(7)e</b>	Charge Code: Word(s)			
Name and Address of (Last/Current) U.S. Employer		Type of Employment	Salary	Employed from/to			
Narrative (Quoting particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) <b>FINS: 1059674598</b>							
		Left Index fingerprint			Right Index fingerprint		
							
SCARS, MARKS, AND TATTOOS ----- <b>SCAR CHEST - BURN</b> <b>SCAR HAND, RIGHT - INDEX FINGER</b>							
FATHER NAME & ADDRESS ... (CONTINUED ON I-831)							
Alien has been advised of communication privileges		<b>2/17/09</b>		<b>(k)(2),(b)(6),(b)(7)c</b>		Officer	
Distribution:		Received: (Subject and Documents) (Report and Summary)					
File		Officer: <b>(k)(2),(b)(6),(b)(7)c</b>					
stats		on: <b>February 17, 2009 at 182</b>					
in		Disposition: <b>Warrant of Arrest/</b>					
		Examining Officer: <b>(k)(2),(b)(6),(b)(7)c</b>					



*ADMON*

*to R/ISJ  
2/25/09*

**(k)(2),(b)(6),(b)(7)c**

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b>	Date <b>02/17/2009</b>
Event No: (k)(2),(b)(7)e		

-----  
 Nationality: **TURKEY TARHAN, Tugrul**  
**ISTANBUL, TURKEY**

RECORDS CHECKED

(k)(2),(b)(7)e

Record of Deportable/Excludable Alien:

On 02/17/2009, (k)(2),(b)(6),(b)(7)c encountered subject **TARHAN, Turgut** DOB 08/27/1984, while performing CAP duties at the King County Jail, Seattle, WA.

During interview, subject **TARHAN** freely admitted to being a citizen and national of Turkey. Subject stated that he last entered the United States on or about July 3, 2003 at SET POE, Seattle, WA with a valid F1 visa.

Subject states that he is not married and has no children. Subject has a sister (k)(2),(b)(6),(b)(7)c residing in the United States at (k)(2),(b)(6),(b)(7)c Lynnwood, WA. Subject states that he was not employed at the time of his arrest.

Immigration History:

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Criminal History:

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- 06/10/2004 - Subject arrested by Seattle PD on the charge of Harassment. No charges filed.
- 08/01/2008 - Subject arrested by Seattle, PD on the charge of Rape 2. Convicted of Rape 3 and sentenced to 10 months and 36 to 48 months of community custody.
- 09/04/2008 - Subject filed an appeal of his conviction in King County Superior Court.

Disposition:

Subject claims no health problems or injuries. Subject is missing the fingernail on his right, ... (CONTINUED ON NEXT PAGE)

Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>
------------------------------------	---

2  
3

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b>	Date <b>02/17/2009</b>
Event No: (k)(2),(b)(7)e		

middle finger from an old injury.

Subject expressed no fear of being returned to his country of origin.

Subject was advised of his rights as per form I-826 attached, was provided with a list of free legal service providers and explained his consular notification rights as prescribed by 8 CFR 236.1 (e).

Subject entered the United States with a valid F1 nonimmigrant visa on September 22, 2004. On December, 08, 2008 subject's status was terminated in SEVIS due to Failure to Enroll. In such, subject is in violation of section 237 (a) (1) (C) (i) of the INA as amended.

Subject processed as an NTA.

Signature (k)(2),(b)(6),(b)(7)c	Title <b>IMMIGRATION ENFORCEMENT AGENT</b>
------------------------------------	---

*[Handwritten marks]*  
4

**ATTORNEY WORKSHEET**

LAW ENFORCEMENT SENSITIVE BUT UNCLASSIFIED

File #: A88737523 Hearing Date: 4/20/2009 Lang:

Nationality: Turkey  
District: Tacoma (SEA)

Name:  
IJ: Govt. Atty:

Rep:

AKA: TARHAN, TURGUT

EVENT NOTES:

PROCEEDINGS

(k)(2),(b)(5)

File Routing:  D&R  Adj.  Inv.  File Room  Records  Other  COV from:

Notice to EOIR: Alien Address

Date: March 2, 2009 File No: A88 737 523

To: Office of the Immigration Judge  
Executive Office for Immigration Review  
1623 East "J" Street, (b)(6), (b)(7)c  
Tacoma, WA 98421

From: Field Office Director  
Immigration and Customs Enforcement  
1623 East "J" Street, (b)(6), (b)(7)c  
Tacoma, WA 98421

Respondent: TARHAN, TURGUT

**This is to notify you that this respondent is:**

Currently incarcerated by other than DHS. A charging document has been served on the respondent, and an Immigration Detainer-Notice of Action by the INS (Form I-247) has been filed with the institution shown below. He/she is incarcerated at:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

His/her anticipated release date is: \_\_\_\_\_

Currently detained by DHS at: \_\_\_\_\_

\_\_\_\_\_

Currently detained by DHS and transferred this date to a new location: \_\_\_\_\_

\_\_\_\_\_

**DHS Motion for Change of Venue attached.**  Yes  NO

Released from DHS custody on the following condition(s):

Personal Recognizance

Order of Recognizance (Form I-220A)

Bond in the amount of \$ 30,000.00  Surety bond  Cash bond

Other \_\_\_\_\_

Upon release from DHS custody, the respondent reported his/her address and telephone number will be:

2308-188 PL SW; LYNNWOOD, WA 98036

\_\_\_\_\_

\_\_\_\_\_

Upon release from DHS custody, the respondent was reminded of the requirements contained in Section 239 (a)(1)(F)(ii) of the Immigration and Nationality Act and was provided with an EOIR change of address form (EOIR-33).

\_\_\_\_\_ (k)(2), (b)(6), (b)(7)c \_\_\_\_\_ **Deportation Officer**

\_\_\_\_\_ *ICE Official* \_\_\_\_\_ *Title-ICE Official*

\_\_\_\_\_ (k)(2), (b)(6), (b)(7)c \_\_\_\_\_ **Seattle Field Office**

\_\_\_\_\_ *Printed name of ICE Official* \_\_\_\_\_ *Location*

U. S. Department of Justice  
Immigration and Naturalization Service

Immigration Bond

Power No. (k)(2), (b)(7)e (Bonded Alien) File No. A88-737-523  
Bond Receipt No. SFR-5-2413

A. Name of Obligor: ACCREDITED SURETY & CASUALTY COMPANY  
Street address of Obligor: 4798 NEW BROAD STREET, SUITE 200  
City, State and Zip Code: ORLANDO, FL 32814  
Telephone: (559)-855-6600  
Name of Agent/Co-Obligor (if any-Surety Bonds only): U. S. IMMIGRATION BONDS  
Address (if different from that of Obligor): 74-930 COUNTRY CLUB DR. SUITE 540-182 PALM DESERT, CA 92260  
Telephone: (760)-346-7146  
Address to use for notice purposes:  Obligor  Agent  Both  
If this is executed by a surety company the rate of premium is: 10.00 and the amount of premium is: 3,000.00  
The name and address of the person who executed a written instrument with the surety company requesting it to post bond is  
(k)(2), (b)(6), (b)(7)c WA 98036 - (206) 909-2777 (b)(6), (b)(7)c

B. Information about alien for whom bond is furnished: Name: TARHAN, TURGUT  
Current Location (i.e., where detained): TACOMA, WA  
Date and country of birth: 8/27/1984 - ISTANBUL, TURKEY Nationality: TURKISH  
Date, port and means of arrival in the United States: 09/03/2003 - SEATTLE WA - STUDENT  
Alien to reside at: 2308-188 PL. SW. LYNNWOOD, WA 98036 -  
Telephone number at alien's residence: 206-909-8036

C. In consideration of the facts recited in paragraph or paragraphs herein numbered (G2) and captioned BOND  
CONDITIONED FOR THE DELIVERY OF ALIEN (and in any rider  
or riders lettered ----- and captioned -----, the above named  
obligor and the agent acting on its behalf (if any), by subscribing hereto, hereby declare that they are firmly bound unto  
the United States in the sum of THIRTY THOUSAND NO/100'S--- dollars (\$ 30,000.00 ) unless the guarantee  
of the bond is that the alien shall not become a public charge, the obligor, and the agent acting on its behalf (if any), declare  
themselves bound in such amount or successive amounts as are prescribed in paragraph (G-2) herein as liquidated damages  
and not as penalty, which sum is to be paid to the United States immediately upon failure to comply with the terms set forth in  
any such paragraph or rider. The obligor and agent further agree that any notice to him/her in connection with this bond may  
be accomplished by mail, directed to him/her at the above address. The obligor acknowledges receipt of a copy of the  
executed bond and any attached rider or riders specified above.

D. Signed by (k)(2), (b)(6), (b)(7)c day of 03/2009 (Mont) (k)(2), (b)(6), (b)(7)c

E. Bond approved and accepted at SAN FRANCISCO (City and State) (Day) (District Director)

F. Surety Company ACCREDITED SURETY & CASUALTY Taxpayer Identification Number 59-1362150  
Agent-Bonding Company IMMIGRATION BONDS Taxpayer Identification Number 94-3038145  
Obligors-Cash/Treasury Bond Taxpayer Identification Number \_\_\_\_\_

31 U.S.C. 7701(c)(1) requires each person doing business with a federal government agency to furnish that agency such person's taxpayer identification number. It is the intent of the INS to use such number for purposes of collecting and reporting information on any delinquent accounts arising out of such person's relationship with the Government. The obligor, surety, or agent must furnish its Taxpayer Identification Number (TIN) to INS. Failure to furnish the TIN will result in a refusal of the bond.

This copy is to be retained by the obligor.

ACCREDITED SURETY AND CASUALTY COMPANY, INC.  
379E NEW BROAD STREET  
SUITE 200  
ORLANDO, FL 32814  
PHONE: 407.623.2151  
www.accredited-inc.

**POWER OF ATTORNEY  
FOR U.S. IMMIGRATION BOND**

AGENCY: US Immigration Service  
DATE: 2.2.09  
POWER NO. (k)(2),(b)

KNOW ALL MEN BY THESE PRESENTS, THAT ACCREDITED SURETY AND CASUALTY COMPANY, INC., has made, constituted and appointed, and by these presents it does make, constitute and appoint LARRY SWANKHA its true and lawful Attorney-in-Fact for it and in its name, place and stead to execute, seal and deliver for and on its behalf and as its act and deed, as surety, an Immigration Bond on behalf of LARNA LARRY to be given to US Immigration and Naturalization Service

Provided that the authority of such Attorney-in-Fact to bind the Company shall not exceed the Immigration and Naturalization Service records. The said Attorney-in-Fact is hereby authorized to insert in this Power Of Attorney the name of the person on whose behalf this bond was given.

This Power Of Attorney is for use with Federal Immigration Bonds only. Not valid if used in connection with Bail Bonds. This Power void if altered or erased. Void if used with other Powers of this company or in combination with Powers from any other surety company, void if used to furnish a bond in excess of the stated face amount of this Power, and can only be used once.

**FIFTY THOUSAND DOLLARS**

The obligation of the company shall not exceed the sum of

IN WITNESS WHEREOF, ACCREDITED SURETY AND CASUALTY COMPANY, INC., has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 03 DAY of 03 MONTH 09 YEARS

Bond Amount: 50,000  
Alien: LARNA LARRY  
INS Center: IA/LEWA  
File #: A58 937 STP  
City: IA  
Executing Age: (k)(2),(b)(6),(b)(7)c



By: Deborah Jallad  
Deborah Jallad, President  
VOID IF NOT ISSUED BY: 10/28/2009  
**FOR IMMIGRATION USE ONLY**  
NOT VALID IF USED IN ORIGINAL COURT

COPY FOR IMMIGRATION AND NATURALIZATION SERVICE

Office of Detention and Removal Operations

U.S. Department of Homeland Security  
1623 East J Street  
Tacoma, WA 98421



U.S. Immigration  
and Customs  
Enforcement

**Fax Cover Sheet**

Date: 2/27/2009

To: Bond unit

Fax Number: 415-844 (b)(2), (b)(6), (b)(7)c

From: SEA/DRO Tacoma

Return Fax Number: (253) 779 (b)(2), (b)(6), (b)(7)c

Number of pages including cover sheet: 10

**BOND MUST BE RECEIVED BEFORE 3 PM TO BE PROCESSED  
SAME DAY**

Faxed 2/27/2009

1010

# Pre Bond Check List

Date 2/27/2009

Payment Location SFR

Alien Registration Number A 88737523

Alien Name Tarchan, Turgut

Alien Date of Birth 8/27/1984

FBI# (k)(2),(b)(7)e

Wants/Warrants check: GOOD TO GO  
NO WAY



Department of Homeland Security  
U.S. Immigration and Customs Enforcement  
Detention and Removal Operations  
630 Sansome Street, Room (b)(6),(b)(7)c  
San Francisco, CA 94111

Date: 02-27-09

From: \_\_\_\_\_

Pages: 4 pgs.  
(Including Cover Sheet)

Phone: (415) 844- (b)(6),(b)(7)c

Fax: 415 844- (b)(6),(b)(7)c  
415 844- (b)(6),(b)(7)c

To: Bond Verification

Phone: (253) 779- (b)(6),(b)(7)c

Fax: 253-779- (b)(6),(b)(7)c

Urgent  For Review  Please Comment/Reply  For Your Info  Action

Message: ~~A 89-625-447~~ LM  
A 88-737-523 LU  
~~A 88-737-527~~ L146

Thank You

FEB-25-2009 05:49P FROM:ALL CITY BAIL BONDS (206)382-1783

TO:17603417744

P.3/4

18 737 523

U.S. IMMIGRATION (HOMELAND SECURITY) BONDS  
74-930 COUNTRY CLUB DR. SUITE 540-182  
PALM DESERT, CA 92260

IMMIGRATION BOND WORK SHEET

NORTH WEST DETENTION CENTER

>PLACE OF CUSTODY: TALIMA, WA HOW LONG: SINCE 2-17-09  
>INS AGENTS NAME: \_\_\_\_\_ PHONE # ( ) \_\_\_\_\_

>ALIENS LAST NAME TAYMAN  
FIRST IRVING MIDDLE \_\_\_\_\_

>COMPLETE ADDRESS: 2308-188th Pl. SW LYNNWOOD, WA 98036  
PHONE # 206-909-8010

>ALIENS TRANSPORTATION BACK HOME:  AUTO ( ) PLANE ( ) BUS

>ALIEN NUMBER A# 88737923 - MUST BE (EIGHT DIGITS)

>BOND AMOUNT \$ 30,000.00

>DATE OF BIRTH 8/27/81 PLACE OF BIRTH: Istanbul, Turkey

>DATE ENTERED USA: \_\_\_\_\_ ENTERED AS: STUDENT VISA

>PORT (PLACE) OF ENTRY: Seattle, WA

>INDEMNITORS NAME: \_\_\_\_\_ (k)(2),(b)(6),(b)(7)c

>COMPLETE ADDRESS: \_\_\_\_\_ (k)(2),(b)(6),(b)(7)c LYNNWOOD WA 98036  
PHONE # 206-909-8010 (k)(2),(b)(6),(b)(7)c

>COLLATERAL ADDRESS: SAME




>\$ PAID: 218K DATE PURCHASED: 8/12/03 \$ OWED: \*186,712.00

>IMMIGRATION ATTORNEY'S NAME: \_\_\_\_\_ (k)(2),(b)(6),(b)(7)c 206-911-1111 (k)(2),(b)(6),(b)(7)c

>COMPLETE ADDRESS: \_\_\_\_\_

NOTES: \_\_\_\_\_

(760) 346-7145 (FAX) 341-7744 E-MAIL [bondsforins@aol.com](mailto:bondsforins@aol.com)

Family Name (CAPS) <b>TARHAN, Turgut</b>		First	Middle	Sex <b>M</b>	Hair <b>BRO</b>	Eyes <b>BRO</b>	Complexion <b>MED</b>
Country of Citizenship <b>TURKEY</b>	Passport Number and Country of Issue	Case No: (k)(2),(b)(7)e <b>A088737523</b>		Height <b>65</b>	Weight <b>125</b>	Occupation <b>STUDENT</b>	
U.S. Address <b>1623 EAST J STREET SUITE 5 TACOMA, WASHINGTON, 98421,</b>				Scars and Marks <b>See Narrative</b>			
Date, Place, Time, and Manner of Last Entry <b>7/3/2003, Unknown Time, SET, F1</b>		Passenger Boarded at		F.B.I. Number <b>(k)(2),(b)(7)e</b>			
Number, Street, City, Province (State) and Country of Permanent Residence <b>BALTALIMANI CAD. HISARPALAS APT# 31/10 RUMELIHISARI ISTANBUL, TURKEY</b>				<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated			
Date of Birth <b>08/27/1984</b>	Age: <b>24</b>	Date of Action <b>02/17/2009</b>	Location Code <b>SEA/SEA</b>	Method of Location/Apprehension <b>(k)(2),(b)(7)e</b>			
City, Province (State) and Country of Birth <b>TURKEY</b>		AR <input checked="" type="checkbox"/>	Form: (Type and No.) <input type="checkbox"/> Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>	A/Near <b>SEATTLE, WA</b>	Date/Hour <b>02/17/2009</b>		
NIV Issuing Post and NIV Number		Social Security Account Name		Status at Entry <b>Student</b>			
Date Visa Issued		Social Security Number		Status When Found <b>IN INSTITUTION</b>			
Immigration Record <b>POSITIVE - See Narrative</b>		Criminal Record <b>See Narrative</b>					
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)				Number and Nationality of Minor Children <b>NONE</b>			
Father's Name, Nationality, and Address, if Known <b>See Father info in Narrative</b>			Mother's Present and Maiden Names, Nationality, and Address, if Known <b>Nationality: TURKEY (k)(2),(b)(6),(b)(7)c ISTANBUL, TURKEY</b>				
Monies Due/Property in U.S. Not in Immediate Possession <b>None Claimed</b>		Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks <b>See Narrative (k)(2),(b)(7)e</b>	Charge Code Words(s)			
Name and Address of (Last)(Current) U.S. Employer		Type of Employment	Salary	Employed from/to			
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.) <b>FINS: 1059674598</b>							
		<b>Left Index fingerprint</b>			<b>Right Index fingerprint</b>		
							
<b>SCARS, MARKS, AND TATTOOS</b>							
-----							
<b>SCAR CHEST - BURN</b>							
<b>SCAR HAND, RIGHT - INDEX FINGER</b>							
<b>FATHER NAME &amp; ADDRESS</b>							
... (CONTINUED ON I-831)							
Alien has been advised of communication privileges <u>2/17/09</u> (k)(2),(b)(6),(b)(7)c				(k)(2),(b)(6),(b)(7)c			
Distribution:				Received: (Subject and Documents) (Report of Interview)			
file				Officer: (k)(2),(b)(6),(b)(7)c			
stats				on: <b>February 17, 2009 at 1822</b> (time)			
intel				Disposition: <b>Warrant of Arrest/N</b> (k)(2),(b)(6),(b)(7)c			
				Examining Officer: (k)(2),(b)(6),(b)(7)c			

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b>	Date <b>02/17/2009</b>
	Event No: (k)(2),(b)(7)e	

Nationality: TURKEY TARHAN, Tugrul  
ISTANBUL, TURKEY

RECORDS CHECKED

(k)(2),(b)(7)e

Record of Deportable/Excludable Alien:

On 02/17/2009, IAA (k)(2),(b)(6),(b)(7)c encountered subject TARHAN, Turgut DOB 08/27/1984, while performing CAP duties at the King County Jail, Seattle, WA.

During interview, subject TARHAN freely admitted to being a citizen and national of Turkey. Subject stated that he last entered the United States on or about July 3, 2003 at SET POE, Seattle, WA with a valid F1 visa.

Subject states that he is not married and has no children. Subject has a sister (k)(2),(b)(6),(b)(7)c residing in the United States at (k)(2),(b)(6),(b)(7)c Lynnwood, WA. Subject states that he was not employed at the time of his arrest.

Immigration History:

A review of available service databases shows the following immigration history:

- 09/05/2002 - Subject entered the United States as an F1 student and departed on 06/13/2003.
- 07/03/2003 - Subject entered the United States as an F1 student (I-94 # 592745744 10)
- 12/08/2008 - Subjects F1 status terminated in SEVIS due to Failure to Enroll.

Criminal History:

- 06/03/2007 - Subject was being held at the King County Jail, Seattle, WA for an arrest for Rape 2.
- 06/10/2004 - Subject arrested by Seattle PD on the charge of Harassment. No charges filed.
- 08/01/2008 - Subject arrested by Seattle, PD on the charge of Rape 2. Convicted of Rape 3 and sentenced to 10 months and 36 to 48 months of community custody.
- 09/04/2008 - Subject filed an appeal of his conviction in King County Superior Court.

Disposition:

Subject claims no health problems or injuries. Subject is missing the fingernail on his right, ... (CONTINUED ON NEXT PAGE)

Signature (k)(2),(b)(6),(b)(7)c	Title IMMIGRATION ENFORCEMENT AGENT
------------------------------------	--

Alien's Name <b>TARHAN, Turgut</b>	File Number <b>A088737523</b> Event No: (k)(2),(b)(6),(b)(7)c	Date <b>02/17/2009</b>
<p>middle finger from an old injury.</p> <p>Subject expressed no fear of being returned to his country of origin.</p> <p>Subject was advised of his rights as per form I-826 attached, was provided with a list of free legal service providers and explained his consular notification rights as prescribed by 8 CFR 236.1 (e).</p> <p>Subject entered the United States with a valid F1 nonimmigrant visa on September 22, 2004. On December,08, 2008 subject's status was terminated in SEVIS due to Failure to Enroll. In such, subject is in violation of section 237 (a) (1) (C) (i) of the INA as amended.</p> <p>Subject processed as an NTA.</p>		
Signature (k)(2),(b)(6),(b)(7)c	Title IMMIGRATION ENFORCEMENT AGENT	

02

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID : (k)(2),(b)(7)e

FIN #: 1059674598

File No: A088 737 523

DOB: 08/27/1984

Event No: (k)(2),(b)(7)e

In the Matter of:

Turgut TARHAN

Respondent:

currently residing at:

1623 EAST J STREET SUITE 5 , TACOMA WASHINGTON 98421

(253) 779-6000

(Number, street, city and ZIP code)

(Area code and phone number)

- 1. You are an arriving alien.
- 2. You are an alien present in the United States who has not been admitted or paroled.
- 3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

- 1. You are not a citizen or national of the United States;
- 2. You are a native of TURKEY and a citizen of TURKEY;
- 3. You were admitted to the United States at Seattle, WA on 03 SEPT 2003 as a nonimmigrant student to attend Central Washington University in Seattle, WA ;
- 4. You did not attend Central Washington University from 22 SEPT 2008 to 16 DEC 2008.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 237(a)(1)(C)(i) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you failed to maintain or comply with the conditions of the nonimmigrant status under which you were admitted.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30(f)(2)  8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at: 1623 E J Street #3 Tacoma WASHINGTON US 98421

(Complete Address of Immigration Court, including Room Number, if any)

on a date to be set at a time to be set

(Date)

(Time)

(k)(2),(b)(6),(b)(7)c

in the United States based on the

charge(s) set forth above.

Attention Deportation Officer

(Signature and Title of Issuing Officer)

Date: February 19, 2009

SEATTLE, WA

(City and State)

See reverse for important information

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to one of the offices listed in 8 CFR 241.16(a). Specific addresses on locations for surrender can be obtained from your local DHS office or over the internet at http://www.ice.gov/about/dro/contact.htm. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Act.

Request for Prompt Hearing

To the immigration judge immediately hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

Be (k)(2),(b)(6),(b)(7)c  
(Signature and Title of Immigration Officer)

X  
(Signature of Respondent)

Date: 2/20/09

Certificate of Service

This Notice To Appear was served on the respondent by me on 2/20/2009, in the following manner and in compliance with section 239(a)(1)(F) of the Act.

- [X] in person [ ] by certified mail, returned receipt requested [ ] by regular mail
[ ] Attached is a credible fear worksheet.
[ ] Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the ENGLISH consequences of failure to appear as provided in section 240(b)(7) of the Act

(Signature of Respondent Personally Served)

(k)(2),(b)(6),(b)(7)c

of the ENFORCEMENT AGENT

2

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID : (k)(2),(b)(7)e

FIN #: 1059674598

File No: A088 737 523

DOB: 08/27/1984

Event No: (k)(2),(b)(7)e

In the Matter of:

Turgut TARHAN

Respondent:

currently residing at:

1623 EAST J STREET SUITE 5 , TACOMA WASHINGTON 98421

(253) 779-6000

(Number, street, city and ZIP code)

(Area code and phone number)

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- 3. You have been admitted to the United States, but are removable for the reasons stated below.

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2. You are a native of TURKEY and a citizen of TURKEY;
3. You were admitted to the United States at Seattle, WA on 03 SEPT 2003 as a nonimmigrant student to attend Central Washington University in Seattle, WA ;
4. You did not attend Central Washington University from 22 SEPT 2008 to 16 DEC 2008.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 237(a)(1)(C)(i) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you failed to maintain or comply with the conditions of the nonimmigrant status under which you were admitted.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30(f)(2)  8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at: 1623 E J Street #3 Tacoma WASHINGTON US 98421

(Complete Address of Immigration Court, including Room Number, if any)

on a date to be set at a time to be set  
(Date) (Time)

the United States based on the

charge(s) set forth above.

(k)(2),(b)(6),(b)(7)c

Immigration and Naturalization Service Immigration and Customs Enforcement Department Office

(Signature and Title of Issuing Officer)

Date: February 19, 2009

SEATTLE, WA

(City and State)

See reverse for important information

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to one of the offices listed in 8 CFR 241.16(a). Specific addresses on locations for surrender can be obtained from your local DHS office or over the internet at http://www.ice.gov/about/dro/contact.htm. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Act.

Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

Be (k)(2),(b)(6),(b)(7)c

X [Signature] (Signature of Respondent)

Date: 2/20/09

Certificate of Service

This Notice To Appear was served on the respondent by me on 2/20/2009 in the following manner and in compliance with section 239(a)(1)(F) of the Act.

- [X] in person [ ] by certified mail, returned receipt requested [ ] by regular mail
[ ] Attached is a credible fear worksheet.
[ ] Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the consequences of failure to appear as provided in section 240(b)(7) of the A

(k)(2),(b)(6),(b)(7)c

[Signature] (Signature of Respondent if Personally Served)

and of the ENFORCEMENT AGENT

A. Alien's Name **Turqut TARHAN**

Date of birth **08/27/1984** File No. **A088 737 523** Date of processing **02/19/2009**  
Event No: **(k)(2),(b)(7)e**

Address **1623 EAST J STREET SUITE 5 TACOMA PIERCE WASHINGTON UNITED STATES 98421**

Factual Allegations (attach separate sheet if necessary):  Charged under section 212 as inadmissible  Charged under section 237 as deportable  
1) You are not a citizen or national of the United States;  
2) You are a native of **TURKEY** and a citizen of **TURKEY**;  
3) You were admitted to the United States at **Seattle, WA** on **03 SEPT 2003** as a nonimmigrant student to attend **Central Washington University in Seattle, WA** ;  
4) You did not attend **Central Washington University** from **03 JUNE 2007** to **06 JUNE 2008**.  
 Attorney of Record?

Supporting Evidence **I-213, SEVIS REPORT AND CONVICTION DOCUMENTS**

**B. ADDITIONAL FACTORS TO BE CONSIDERED FOR BOND/CUSTODY DETERMINATION**

1. Is a petition or application pending for this alien or a family member? (Explain)  
**NONE**

2. Total times apprehended  
Bonded before? \_\_\_\_\_ How many times? \_\_\_\_\_ Released O/R before? \_\_\_\_\_  
Bond breached? \_\_\_\_\_ How many times? \_\_\_\_\_ Complied with terms of O/R? \_\_\_\_\_

3. Present health of subject, spouse and children (Explain if other than good)

4. Total time in U.S., dates and location; residing with (Family members or others)  
**OVER 1 YEAR**  
 Charged under section 212 as inadmissible  
 Charged under section 237 as deportable

5. Personal property in U.S. (Liquid and non-liquid assets)

6. Family members in U.S. (Spouse, children, immediate relatives) address if different than subject's

7. Employment history: (Other than current)

8. Other factors (i.e. false claim, attempted flight, unsupervised children at home, etc.)

C. The undersigned recommends:  VD without NTA  NTA Charges **(k)(2),(b)(7)e**  
Signature and title of officer **(k)(2),(b)(6),(b)(7)c** AGENT

D. Approved as to legal sufficiency: Date: \_\_\_\_\_ Office: \_\_\_\_\_  
Signature and title of Service counsel: \_\_\_\_\_

E. Based on the above information I have set the following bond: **NO BOND** Date: **02/19/2009** Office: **SEA/SEA**  
Signature and title of authorizing official: **(k)(2),(b)(6),(b)(7)c** **SD20**

# Notice of Rights and Request for Disposition

File No: 88 757 523

Name: TARHAN, Targut

## NOTICE OF RIGHTS

You have been arrested because immigration officers believe that you are illegally in the United States. You have the right to a hearing before the Immigration Court to determine whether you may remain in the United States. If you request a hearing, you may be detained in custody or you may be eligible to be released on bond, until your hearing date. In the alternative, you may request to return to your country as soon as possible, without a hearing.

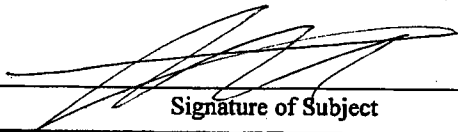
You have the right to contact an attorney or other legal representative to represent you at your hearing, or to answer any questions regarding your legal rights in the United States. Upon your request, the officer who gave you this notice will provide you with a list of legal organizations that may represent you for free or for a small fee. You have the right to communicate with the consular or diplomatic officers from your country. You may use a telephone to call a lawyer, other legal representative, or consular officer at any time prior to your departure from the United States.

## REQUEST FOR DISPOSITION

T.T.  I request a hearing before the Immigration Court to determine whether or not I may remain in the United States.  
Initials

            I believe I face harm if I return to my country. My case will be referred to the Immigration Court for a hearing.  
Initials

            I admit that I am in the United States illegally, and I believe I do not face harm if I return to my country. I give up my right to a hearing before the Immigration Court. I wish to return to my country as soon as arrangements can be made to effect my departure. I understand that I may be held in detention until my departure.  
Initials

  
Signature of Subject

2/17/09  
Date

## CERTIFICATION OF SERVICE

Notice read by subject

Notice read to subject by (k)(2),(b)(6),(b)(7)c, in the English language.

(k)(2),(b)(6),(b)(7)c

(k)(2),(b)(6),(b)(7)c

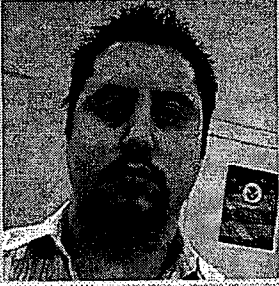
Signature of Officer

N/A

Name of Interpreter (Print)

2/17/2009 1400

Date and Time of Service

Subject	FIN	Left Fingerprint Score	Right Fingerprint Score	Probable Match	Database	Match
	10596745...	(k)(2),(b)(7)e		Y	R	

FNS

**NO PHOTO**

Selected 1 of 1

**NO PHOTO**

<b>Last Name</b>		<b>First Name</b>	
TARHAN		TURGUT	
<b>Sex</b>	<b>DOB (MM/DD/YYYY)</b>	<b>Country of Birth</b>	
Male	08/27/1984	XX	
<b>Country of Citizenship</b>	<b>A #</b>	<b>Location</b>	
	MISSING	UNK	
<b>Address - City/Residence</b>	<b>Address - State/Residence</b>	<b>Address - Country/Residence</b>	
		UNK	

**Comments**  
REVIEW FBI NUMBER (b)(2), (b)(7) FOR ARREST RECORD. - SUBJECT MAY HAVE OUTSTANDING WARRANT. CHECK FBI NUMBER (b)(2), (b)(7) WITH NCIC FOR CURRENT W

<b>Method of Location/Apprehension</b>	<b>Location of Apprehension</b>	<b>Date and Time of Apprehension (MM/DD/YYYY HR:MI)</b>
UNK		
<b>Apprehended By</b>	<b>Status of Entry</b>	<b>Length of Time Illegally in U.S.</b>
	UNK	
<b>Misc 1</b>	<b>Misc 2</b>	<b>Misc 3</b>

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## Student Information

Form 17

[Return to Search Results](#)

### Personal Information

SEVIS ID: **N0000318636**  
 Family Name: **TARHAN**  
 First Name: **TURGUT**  
 Country of Birth: **TURKEY**  
 Date of Birth: **08/27/1984**  
 Country of Citizenship: **TURKEY**  
 Gender: **MALE**  
 Foreign Address: **Baltalimani Cad.,  
 Hisarpalaz Apt. No.  
 31/10  
 Rumelihisar  
 Istanbul  
 TURKEY**  
 U.S. Address: **801 Pine St., Apt. 11A  
 Seattle  
 WASHINGTON  
 98101**  
 SSN:  
 Driver's License Number:  
 Driver's License Issuing  
 State:  
 Individual Taxpayer ID  
 Number:

### Program Information

Status: **ACTIVE**  
 Termination Reason:  
 Visa Type: **F-1**  
 School Status: **APPROVED**  
 School Name: **Central Washingto  
 University**  
 School Code: **SEA214F1004600I**  
 Campus Name: **Central Washingto  
 University**  
 I-20 Issue Reason: **CONTINUED  
 ATTENDANCE**  
 Education Level: **BACHELOR'S**  
 Major: **Business  
 Administration and  
 Management, Gen**  
 Secondary Major:  
 Minor:  
 Program Start Date: **01/16/2007**  
 Program End Date: **12/16/2009**  
 Normal Length of Study: **24**  
 Current Session End Date: **06/08/2007**  
 Next Session Start Date: **09/18/2007**  
 School Requires English  
 Proficiency: **yes**  
 Student Has English  
 Proficiency: **yes**  
 English Is Not Required  
 Because:  
 Remarks:

### Financial Information

Number of Months: **09**  
 Tuition Fees: **\$14,193.00**  
 Living Expenses: **\$11,034.00**  
 Dependent Expenses:  
 Other Costs:  
 Other Costs Comment:  
**Total Expenses: \$25,227.00**  
 Student's Personal Funds: **\$25,227.00**  
 Funds From This School:  
 School Fund Type:  
 Funds From Other  
 Sources:  
 Source Type:  
 On-Campus Employment:

### Travel Information

Passport Number:  
 Visa Number:  
 Visa Issue Date: **07/02/2003**  
 Visa Issue Post:  
 Port of Entry:  
 Date of Entry:  
 I-94/Admission Number:  
 Port of Departure:  
 Date of Departure:

### I-901 SEVIS Fee Payment Informatic

Transaction Type:  
 Transaction Date:  
 Transaction Amount:

**Total Funding: \$25,227.00**

Fee Payment/Cancelation  
Receipt Number:

**Student Requests:**

**Request Type**  
Transfer

**Request Status**  
APPROVED

**Receipt Number**

06/04/2007 (Monday)



U.S. Immigration and Customs Enforcement



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### Current Request/Authorization Details

**Student Information**

SEVIS ID: **N0000318636**  
Family Name: **TARHAN**  
First Name: **TURGUT**  
Country of Birth: **TURKEY**  
Date of Birth: **08/27/1984**  
Country of Citizenship: **TURKEY**  
Gender: **MALE**  
School Name: **Central Washington University**  
Program Start Date: **01/16/2007**  
Program End Date: **12/16/2009**  
Visa Type: **F-1**  
Status: **ACTIVE**

- OPT Employment:** No Current OPT Employment
- CPT Employment:** No Current CPT Employment
- Off-Campus Employment:** No Current Off-Campus Employment
- Authorized To Drop Below Full Course:** No Current Authorization
- Transfer:** No Current Transfer Request
- Disciplinary Action Recorded:** No Record of Disciplinary Action
- Change of Status:** No Pending Change of Status Request
- Pending Correction Requests:** No Pending Correction Request

**Return**

06/04/2007 (Monday)



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## Student Information

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Form I-17

### Personal Information

SEVIS ID: **N0000318636**  
 Family Name: **TARHAN**  
 First Name: **TURGUT**  
 Country of Birth: **TURKEY**  
 Date of Birth: **08/27/1984**  
 Country of Citizenship: **TURKEY**  
 Gender: **MALE**  
 Foreign Address: **Baltalimani Cad.,  
 Hisarpalas Apt. No.  
 31/10  
 Rumelihisar  
 Istanbul  
 TURKEY  
 801 PINE ST #9A  
 SEATTLE  
 WASHINGTON  
 98101**  
 U.S. Address:  
 SSN:  
 Driver's License Number:  
 Driver's License Issuing  
 State:  
 Individual Taxpayer ID  
 Number:

### Program Information

Status: **DEACTIVATED**  
 Termination Reason:  
 Visa Type: **F-1**  
 School Status: **APPROVED**  
 School Name: **Seattle Community  
 College District VI**  
 School Code: **SEA214F00001000**  
 Campus Name: **Seattle Central  
 Community Colleg**  
 I-20 Issue Reason: **CONTINUED  
 ATTENDANCE**  
 Education Level: **ASSOCIATE  
 Business**  
 Major: **Administration and  
 Management, Gen**  
 Secondary Major:  
 Minor:  
 Program Start Date: **09/16/2002**  
 Program End Date: **03/21/2007**  
 Normal Length of Study: **45**  
 Current Session End Date: **12/14/2006**  
 Next Session Start Date: **01/02/2007**  
 School Requires English  
 Proficiency: **yes**  
 Student Has English  
 Proficiency: **yes**  
 English Is Not Required  
 Because:  
 Remarks:

### Financial Information

Number of Months: **09**  
 Tuition Fees: **\$6,885.00**  
 Living Expenses: **\$4,725.00**  
 Dependent Expenses:  
 Other Costs: **\$1,470.00**  
 Other Costs Comment: **Books, Transportation,  
 Miscellaneous**  
**Total Expenses: \$13,080.00**  
 Student's Personal Funds: **\$0.00**  
 Funds From This School:  
 School Fund Type:  
 Funds From Other **\$100,000.00**  
 Sources:  
 Source Type: **Family Funds**

### Travel Information

Passport Number:  
 Visa Number:  
 Visa Issue Date: **07/02/2003**  
 Visa Issue Post:  
 Port of Entry:  
 Date of Entry:  
 I-94/Admission Number:  
 Port of Departure:  
 Date of Departure:

### I-901 SEVIS Fee Payment Informatic

Transaction Type:  
 Transaction Date:  
 Transaction Amount:

On-Campus Employment:  
**Total Funding: \$100,000.00**

Fee Payment/Cancellation  
Receipt Number:

**Student Requests:**

**Request Type**

Extension  
Extension  
Extension  
Transfer

**Request Status**

APPROVED  
APPROVED  
APPROVED  
APPROVED

**Receipt Number**

06/04/2007 (Monday)

18:07

(b)(7)e

TID= (b)(7)e

TECS RECORD ID (b)(7)e

ENTRY 121508 UPDATE 121508

NAME- LAST TARHAN

PHYSICAL IDENTIFIERS

FIRST TURGUT  
IMAGE

MID

HISPANIC

RACE

SEX

HAIR

EYES

ALIAS

NICKNAME

STC

HT 000

WT 000

ENGLISH

S/M/T

MORE

PERSONAL-

DOB 08271984 POB- CNTRY TR ST CITY

CTZN TR MORE

SSN MORE AFN MORE RES

EXC/SITE SEVI COW MORE

PPN TYPE CNTRY ISSDT

EXPDT MORE

ADDRESS- DATE

STREET

APT

CITY

STATE

CNTRY

ZIP

TYPE

MORE

CONTACT- ENFORCEMENT UNIT HO COMPLIANCE

PHONE 703235 (b)(6),(b)(7)c

OWNER (k)(2),(b)(6),(b)(7)c

CASE NBR

MORE

PRIMARY 4 REFER TO IMMIGRATION

START

STOP

QRY NTFY 0

STATUS (k)(2),(b)(7)e

(k)(2),(b)(7)e

MORE M

REMARKS- DATE 121508  
POSSIBLE STUDENT STATUS VIOLATOR. SECONDARY REFERRAL FOR FURTHER QUESTIONING  
IS WARRANTED. DO NOT USE THIS AS A SOLE MEANS FOR REFUSING ADMISSION OR  
BENEFIT. THE STUDENT AND EXCHANGE VISITOR INFORMATION SYSTEM (SEVIS) MAY  
NO SUB-RECORDS

(b)(7)e



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## Student Information

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[Transfer History](#)

### Personal Information

SEVIS ID: **N0000318636**  
 FIN ID :  
 Family Name: **TARHAN**  
 First Name: **TURGUT**  
 Country of Birth: **TURKEY**  
 Date of Birth: **08/27/1984**  
 Country of Citizenship: **TURKEY**  
 Gender: **MALE**  
 Foreign Address: **Baltalimani Cad.,  
Hisarpalas Apt. No.  
31/10  
Rumelihisar  
Istanbul  
TURKEY**  
 U.S. Address: **1942 Weslake Ave Apt  
#2405  
Seattle  
WASHINGTON  
98101**  
 SSN:  
 Driver's License Number:  
 Driver's License Issuing  
State:  
 Individual Taxpayer ID  
Number:

### Program Information

Status: **TERMINATED**  
 Termination Reason: **FAILURE TO ENRO**  
 Visa Type: **F-1**  
 School Status: **APPROVED**  
 School Name: **Central Washingto  
University**  
 School Code: **SEA214F1004600**  
 Campus Name: **Central Washingto  
University**  
 I-20 Issue Reason: **CONTINUED  
ATTENDANCE**  
 Education Level: **BACHELOR'S**  
 Major: **52.0201 - Busines  
Administration and  
Management, Gen**  
 Secondary Major:  
 Minor:  
 Program Start Date: **01/16/2007**  
 Program End Date: **12/16/2009**  
 Normal Length of Study: **24**  
 Current Session End Date: **06/06/2008**  
 Next Session Start Date: **09/22/2008**  
 School Requires English  
Proficiency: **Yes**  
 Student Has English  
Proficiency: **Yes**  
 English Is Not Required  
Because:  
 Remarks:

### Financial Information

Number of Months: **09**  
 Tuition Fees: **\$14,193.00**  
 Living Expenses: **\$11,034.00**  
 Dependent Expenses:  
 Other Costs:  
 Other Costs Comment:  
**Total Expenses: \$25,227.00**  
 Student's Personal Funds: **\$25,227.00**  
 Funds From This School:  
 School Fund Type:  
 Funds From Other  
Sources:  
 Source Type:

### Travel Information

Passport Number:  
 Visa Number:  
 Visa Issue Date: **07/02/2003**  
 Visa Issue Post:  
 Port of Entry:  
 Date of Entry:  
 I-94/Admission Number:  
 Port of Departure:  
 Date of Departure:

### I-901 SEVIS Fee Payment Informatio

Transaction Type:  
 Transaction Date:

On-Campus Employment:  
**Total Funding: \$25,227.00**

Transaction Amount:  
Fee Payment/Cancellation  
Receipt Number:

**Student Requests:**  
**Request Type**  
Transfer

**Request Status**  
APPROVED

**Receipt Number**

02/17/2009 (Tuesday)

BOOKING # **208029436**  
EVENT # (k)(2),(b)(7)e

**F1 VIOLATOR  
CIMT/AGG**

File No. **A 88 737 523**  
Date: **August 1, 2008**

TO: **KING COUNTY JAIL (206) 296**, (b)(6), (b)(7)c  
OFFICER IN CHARGE OF ANY FACILITY IN WHICH ALIEN  
NAMED BELOW IS DETAINED.  
IF THE INDIVIDUAL IS TRANSFERRED TO ANOTHER  
FACILITY, PLEASE ENSURE THIS THE DETAINER  
ACCOMPANIES HIM/HER.

FROM: **Seattle Field Office.**  
Immigration and Customs Enforcement  
Detention and Removal Operations  
12500 Tukwila International Blvd  
Tukwila, Washington 98168  
Tel: **(206) 277**, (b)(6), (b)(7)c Fax: **(206) 835**, (b)(6), (b)(7)c

Name of Alien: **TARHAN, TURGUT**  
Date of Birth: **August 27, 1984** Nationality: **TURKEY** Sex: **M**

You are advised that the action noted below has been taken by the Immigration and Customs Enforcement concerning the above-named inmate of your institution.

- Investigation has been initiated to determine whether this person is subject to removal from the United States.
- A Notice of Appear or other charging documents initiating removal proceedings, a copy of which is attached, was served on \_\_\_\_\_ (Date)
- A warrant of arrest in removal proceedings, a copy of which is attached, was served on \_\_\_\_\_ (Date)
- Deportation or removal from the United States has been ordered.

**It is requested that you:**

Please accept this notice as a detainer. This is for notification purposes only and does not limit your discretion in any decision affecting the offender's classification, work and quarters assignments, or other treatment which he or she would otherwise

- Federal regulations (8 CFR 287.7) require that you detain the alien for a period not to exceed 48 hours (excluding Saturdays, Sundays and Federal Holidays) to provide adequate time for ICE to assume custody of the alien. You may notify ICE by calling **(206) 277**, (b)(6), (b)(7)c during business hours or **(206) 786**, (b)(6), (b)(7)c after hours in an emergency.

- Please complete and sign the bottom block of the duplicate of this form and return it to this office.  A self-addressed stamped envelope is enclosed for your convenience.  Please return a signed copy via facsimile to **(206) 835**, (b)(6), (b)(7)c (Area code and facsimile number)

Return fax to the attention of **Desk Agent** at **(206) 835**, (b)(6), (b)(7)c  
(Name of ICE officer handling case) (Area code and facsimile number)

- Notify this office of the time of release at least 30 days prior to release or as far in advance as possible.
- Notify this office in the event of the inmate's death or transfer to another institution.
- Please cancel the detainer previously placed by the ICE on \_\_\_\_\_

\_\_\_\_\_, (k)(2),(b)(6), (b)(7)c  
(Signature of ICE Officer) **Immigration Enforcement Agent**  
(Title of ICE Official)

**Receipt Acknowledged:**

Date of latest conviction: \_\_\_\_\_ Latest conviction charge: \_\_\_\_\_  
Estimated release date: \_\_\_\_\_  
Signature and title of official: \_\_\_\_\_