

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
GENERAL ORDER 15 - 0011**

The full Court met in executive session on Thursday, May 21, 2015 and approved a technical amendment to Local Rule 81.4 Habeas Corpus Proceedings in Deportation Cases. This is a technical amendment and does not require publication for comment.

The Court's Rules Committee discussed the rule at its meeting on May 14, 2015. It recommended that the full Court adopt the proposed amendment to Local Rule 81.4.

The full Court considered the recommendation of the Rules Committee at its meeting on May 21, 2015 and agreed to modify Local Rule 81.4. Therefore,

By direction of the full Court, which met in executive session on Thursday, May 21, 2015,

IT IS HEREBY ORDERED that Local Rule 81.4 Habeas Corpus Proceedings in Deportation Cases be amended as follows (additions shown thus, deletions shown ~~thus~~).

LR81.4. Habeas Corpus Proceedings in Deportation Cases

(a) Appeal From Immigration Judge. Where an appeal from an order of an Immigration Judge is permitted by law, the petition must show that the alien has taken such an appeal to the Board of Immigration Appeals and that the appeal has been denied.

(b) **Petition.** In complying with the requirements of 28 U.S.C. §2242, the petitioner shall specify the acts which have deprived the petitioner of a fair hearing or other reasons entitling petitioner to the relief sought. To the extent practicable, the petition shall state the following:

(1) that the facts recited have been obtained from the records of the ~~Immigration and Naturalization Service~~ Department of Homeland Security; or

(2) that access to such records has been refused, in which event the petition shall state when and by whom application was made and refused; or

(3) that the interval between the notice of removal and the date of removal is too short to allow an examination of the records.

The petition shall further set forth the dates of the notice and the affirmance of the orders, the date set for departure, and the basis for inability to make the necessary examination.

(c) **Service of Writ and Stay of Order.** The writ shall be addressed to, and must be personally served upon, the officer who has actual physical custody of the alien. Service may not be made upon a master after a ship has cast off her moorings. Service may be not be made upon a captain of an aircraft after an alien has boarded the aircraft and the aircraft door is closed. Service of the writ does not stay the removal of an alien pending the court's decision on the writ, unless the court orders otherwise.

ENTER:
FOR THE COURT

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a cursive name, is written over a horizontal line.

Chief Judge

Dated at Chicago, Illinois this 27th day of May, 2015