



## Detail

Complaint Number: 742

Immigration Judge: (b)(6)

Complaint Received Date: 02/05/13

Current ACIJ  
Maggard, Print

Base City  
(b) (6)

Status  
CLOSED

Final Action  
Complaint dismissed because it  
was disproven

Final Action Date  
02/07/13

**Past ACIS:**

A-Numbers(s)	Complaint Nature(s)	Complaint Source(s)
(b)(6)	Legal	Third party (b) (6)
		(b) (6)

**Complaint Narrative:** To quote complainant "I do not have a specific complaint against a judge. But believe that's unfair that I would grant permanent residence status to my wife falsely accused me of domestic violence..."

### Complaint History

02/05/13	ACIJ reviewed DAR
02/07/13	Complaint dismissed because it was disproven
04/09/13	Database entry created

Sep 11, 2013

1 of 1

**Moutinho, Deborah (EOIR)**

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**From:** (b) (6)  
**Sent:** Tuesday, February 05, 2013 12:02 PM  
**To:** IJConduct\_EOIR (EOIR)  
**Subject:** RE: (b) (6)

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**To:** [EOIR.IJConduct@usdoj.gov](mailto:EOIR.IJConduct@usdoj.gov)  
**Subject:** (b) (6)

Dear Mr. Osuna:

I do not have a specific complaint against a Judge. But I believe that's unfair that Immigration Judge (b) (6) would grant permanent residence status to my wife which falsely accused me of domestic violence. I already submitted the district attorney findings, the case was declined, unreasonable and false. I also sent proof that my wife depleted our joint us bank account, she took more than \$3,000 dills., I already proved that's a scam marriage. I went to court on January 9, 2012, and I felt treated as a perpetrator, instead of a victim. The message would be understood for wives of US citizens: "Just falsely accuse them of domestic violence, and you will get permanent residence"

I hope that you personally review this case.

Respectfully,

(b) (6)

# Immigration Judge Complaint Intake Form

**HQ Use Only:**  
complaint #: \_\_\_\_\_  
source: first / subsequent

Date Received at OCIJ: \_\_\_\_\_

complaint source type	
<input type="checkbox"/> anonymous <input type="checkbox"/> respondent's attorney <input checked="" type="checkbox"/> third party (e.g., relative, uninterested attorney, courtroom observer, etc.) <input type="checkbox"/> other: _____	<input type="checkbox"/> BIA <input type="checkbox"/> respondent <input type="checkbox"/> OIL <input type="checkbox"/> ___ Circuit <input type="checkbox"/> EOIR <input type="checkbox"/> OPR <input type="checkbox"/> DHS <input type="checkbox"/> OIG <input type="checkbox"/> Main Justice <input type="checkbox"/> media
complaint receipt method	
<input type="checkbox"/> letter <input type="checkbox"/> fax <input type="checkbox"/> IJC memo (BIA) <input type="checkbox"/> unknown	<input checked="" type="checkbox"/> email <input type="checkbox"/> other: _____ <input type="checkbox"/> phone (incl. voicemail) <input type="checkbox"/> in-person
date of complaint source (i.e., date on letter, date of appellate body's decision)	complaint source contact information
5 Feb 13	name: (b) (6) address: _____ _____ email: (b) (6) phone: (b) (6) fax: _____
additional complaint source details (i.e., DHS component, media outlet, third party details, A-number)	

IJ name	base city	ACIJ
(b) (6)	(b) (6)	Print Maggard
relevant A-number(s)	date of incident	
A (b) (6) (VAWA Case)	Master Calendar hearing Jan 13.	
allegations		
To quote complainant: "I do not have a specific complaint against a Judge. But I believe that's unfair that Immigration Judge (b) (6) would grant permanent residence status to my wife which falsely accused me of domestic violence. . . ."		
nature of complaint		
<input type="checkbox"/> in-court conduct <input type="checkbox"/> incapacity	<input type="checkbox"/> out-of-court conduct <input type="checkbox"/> other: _____	<input type="checkbox"/> due process <input type="checkbox"/> bias <input checked="" type="checkbox"/> legal <input type="checkbox"/> criminal

date	action	initials
5 Feb 13	Complaint e-mail received	PRM
5 Feb 13	ACIJ reviewed DAR, spoke with CA who was involved with incidents involving the complainant	PRM
6 Feb 13	Spoke with security who were involved with an incident involving this complainant	PRM
7 Feb 13	<p><b>Findings:</b> This case involves a VAWA adjustment. This case did not reach an individual hearing and there was no relief granted by the Immigration Judge. This case was terminated by IJ (b) (6) on 24 January 2013 based on a joint motion from the parties under prosecutorial discretion.</p> <p>Despite this case being protected under the VAWA rules, complainant (ex-husband of respondent) found out the date of the last master calendar hearing and arrived at the court on the (b) (6) floor stating he was an attorney and wearing some type of credential around his neck. Once he gained access to the waiting area he reviewed the sheet listing the cases for the day. He then proceeded to the (b) (6) floor where this case was being heard at a master calendar hearing. He was found outside the courtroom when respondent's counsel recognized him. Security escorted him out of the building. The hearing for this respondent was conducted in the judge's chambers. Respondent and her counsel were escorted out of the building a back route and were then escorted to their car by Federal Protective Service officers.</p> <p>This complainant also tried to submit on at least three occasions documents to this case, however since he is a third party, and that he is the basis for the VAWA application, his submissions were rejected by the Court Administrator.</p> <p>I have reviewed this case and discussed it with the Court Administrator. I find no misconduct by the Immigration Judge or the staff of the (b) (6) (b) (6) Immigration Court. The only misconduct or inappropriate actions here are those of the complainant.</p>	PRM
7 Feb 13	I find this allegation disproven and this complaint closed. Because this is a VAWA case I am declining to address the complainant.	PRM