

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

SUBPOENA

In Re Investigation of _____ OCAHO Inv. Subpoena No. _____

8 U.S.C. § 1324b Proceeding
OR

Complainant _____ OCAHO Case No. _____

8 U.S.C. § 1324__ Proceeding
Respondent _____

TO:

You are hereby commanded to (or if a corporation, commanded to designate an individual to):

- ☐ appear and give testimony at:
- ☐ produce and bring the documents described below to:
- ☐ provide access to the evidence described below for the purpose of examination and copying at:
- ☐ mail (by certified mail) the documents described below to:
- ☐ other (please describe) _____:

PLACE: _____

DATE: _____ TIME: _____

[The recipient must be provided at least ten (10) days to petition to revoke or modify the subpoena. See 28 C.F.R. § 68.25(c).]

The documents or evidence required (if more space is needed, please attach a separate sheet):

This subpoena is issued pursuant to section 68.25 of title 28 of the Code of Federal Regulations (28 C.F.R. § 68.25) and under the statutory authority specified below:

- ☐ **8 U.S.C. § 1324a Proceeding.** This subpoena is issued under the authority of section 274A(e)(2)(B) of the Immigration and Nationality Act, as amended (8 U.S.C. § 1324a(e)(2)(B)).
- ☐ **8 U.S.C. § 1324b Proceeding.** This subpoena is issued under the authority of section 274B(f)(2) of the Immigration and Nationality Act, as amended (8 U.S.C. § 1324b(f)(2)).
- ☐ **8 U.S.C. § 1324c Proceeding.** This subpoena is issued under the authority of section 274C(d)(1)(B) of the Immigration and Nationality Act, as amended (8 U.S.C. § 1324c(d)(1)(B)).

This subpoena is issued upon the application of [name, title, office]: _____
[Please print or type]
Signature: _____

IN WITNESS WHEREOF the undersigned authorized official of the United States Department of Justice, Executive Office for Immigration Review, Office of the Chief Administrative Hearing Officer has duly signed below and caused the seal of said Office of the Chief Administrative Hearing Officer to be affixed at Falls Church, VA, on this _____ day of _____, 20____.

ADMINISTRATIVE LAW JUDGE

5107 Leesburg Pike, Suite 2519
Falls Church, VA 22041

RETURN OF SERVICE

Received by Server:

Served:

Date: _____

Date: _____

Place: _____

Place: _____

Served on:

Served by:

Name: _____

Name: _____

Title: _____

Title: _____

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on _____

Date

by _____

Signature

Name and address

INSTRUCTIONS AND IMPORTANT NOTICES

NOTICES TO REQUESTOR:

The party requesting the subpoena must mail a copy of the completed subpoena, with the Return of Service filled out, to the Administrative Law Judge for the record. Please consult 28 C.F.R. § 68.25 for information on what may be requested in a subpoena, who may serve a subpoena, and the manner of service. All information requested should be adequately described and reasonably relevant to the allegations in the complaint or, in the case of an investigatory subpoena, to the subject of the agency's investigation.

28 C.F.R. § 68.25(c) allows a recipient to petition to revoke or modify the subpoena within ten (10) days after the date of service of the subpoena. Accordingly, the requested time for response to or compliance with the subpoena must be at least ten (10) days after the anticipated date of service. In the event that a requestor does not provide adequate time for response, the Administrative Law Judge may modify the date and time for response as necessary.

Please provide all essential information, including the date by which the requested documents or evidence should be provided, as well as a brief description of the requested documents or evidence, on the form itself. If you need additional space to fully describe the documents or evidence requested, you may attach separate sheets.

NOTICE TO RECIPIENT:

If you do not intend to comply with this request, you must petition the Administrative Law Judge who signed the subpoena to revoke or modify the subpoena within ten (10) days after the date of service of the subpoena. See 28 C.F.R. § 68.25(c).

NOTICE TO WITNESS:

Witness fees for attendance, subsistence, and mileage under this subpoena are payable by the party at whose request the witness is subpoenaed, if authorized by statute. A witness appearing at the request of the Government, who is entitled to reimbursement, shall submit this subpoena with the voucher to the Government counsel when claiming reimbursement.